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International Court of Justice

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Official transcript of the International Military Tribunal in the matter of: The United States of America, the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics against Hermann Wilhelm Goering, et al, Defendants, sitting at Nürnberg, Germany, on 12 December 1945, 1000-1230, Lord Justice Lawrence presiding.

THE PRESIDENT: The Tribunal will adjourn this morning at 12:30 for a closed session and sit again at 2:00 o'clock.

MR. DODD: May it please the Tribunal, I should like to report to the Tribunal this morning with reference to the questions which arose yesterday afternoon concerning three documents.

After adjournment we found that Document 2220-PS was in the defendants' information center in photostatic form, and that the two other documents, being respectively the two entries from the Frank diary, were also there but in a different form. The Frank diary consists of some 40-odd volumes we of course were not able to photostat, so we had placed instead in the defendants' room the excerpts. As a matter of fact, we had placed the entire document book there.

DR. ALFRED SEIDL: (Counsel for Defendant Frank): Yesterday the prosecution showed documents concerning the Defendant Frank, Numbers 2233-PS-A and 2233-PS-B, USA 173, USA 174. These are not ordinary documents, but excerpts from the diary of Frank. Six weeks ago in writing I made the motion to have this diary, which consists of 42 heavy, thick volumes, submitted to me. I first made this request on the 2nd of December. The second time--pardon me, that was the 2nd of November; the 16th of November for the second time; the third time on the 18th; and for the fourth time I requested it on the 3rd of December.

Up to now I have not, I am sorry to say, received this diary, and I would like to ask the Court that this diary be submitted to me; because a piece of evidence is involved which Frank, the defendant, when he was arrested gave to the officers who were arresting him,

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and this material is to serve in his favor.

I am not in a position in a few days to work over this wealth of material, and I would like to ask the Court that this diary be put at my disposal as soon as possible.

In this connection I would like to call the attention of the Court to another point. The Court has already granted that the four addresses or speeches which Frank made in Germany in 1942, and which led to his dismissal by Hitler from his offices, chiefly in the Party, and I'd like to have this material put at my disposal for evidence through the General Secretary of the Court. This was done, or I was notified of this, on the 4th of December, but up to this day I have not received copies of these speeches. I would be very grateful if the Court would attend to this matter, that the official wishes of the Court would be carried out, and that these documents would be put into my hands.

THE PRESIDENT: The Tribunal will look into these matters with the General Secretary of the Tribunal, and doubtless it will be able to arrange that you should have these documents submitted to you in the defendants' counsel information center.

DR. SEIDL: Thank you.

THE PRESIDENT: Yes, Mr. Dodd.

MR. DODD: May I refer briefly to the discussion that we were engaged in yesterday in order to take up the train of thought.

I wish to remind the Tribunal that we were discussing or had just completed a discussion of Document L-61, which had to do with a letter written by the Defendant Sauckel to the Presidents of the "Landes" Employment Offices. I had read two excerpts from that letter.

Referring to the letter, we say that the Nazi campaign of force and terror and abduction was described in another letter to the Defendant Frank, which we wish to refer to as Document Number 1526-PS.

THE PRESIDENT: Before you pass from that, Mr. Dodd, has either

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the original or the photostatic copy been shown to Sauckel's Counsel?

MR. DODD: Oh, yes, sir. A photostatic copy was in the defendants' counsel information room, and after adjournment yesterday we got the original and handed it to him here in this room.

THE PRESIDENT: And he saw it?

MR. DODD: Yes, sir.

THE PRESIDENT: Very well.

MR. DODD: This document, Number 1526-PS, USA Exhibit 178, is a letter written by the Chairman of the Ukrainian Main Committee, at Cracow, in February 1943, and I wish to read from the third page of the English text, beginning with the second paragraph. The same passage appears in the German text at Page 2, Paragraph 5. I quote:

"The general nervousness is still more enhanced by the wrong methods of finding labor which have been used more and more frequently in recent months.

"The wild and ruthless man-hunt as exercised everywhere in towns and country, in streets, squares, stations, even in churches, at night in houses, has badly shaken the feeling of security of the inhabitants. Everybody is exposed to the danger, to be seized anywhere and at any time by members of the police,

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suddenly and unexpectedly, and to be brought into an assembly camp. None of his relatives knows what has happened to him, only months later one or the other gives news of his fate by a postcard."

I wish to turn in this same document to enclosure 5 on Page 8 of this document, which I quote:

"In November of last year an inspection of all males of the age groups 1910 to 1920 was ordered in the area of Zaleschozyki (district of Czortkow). After the men had appeared for inspection, all those who were chosen were arrested at once, loaded into trains and sent to the Reich. Such recruiting of laborers for the Reich also took place in other areas of this district. Following some interventions the action was then stopped."

The resistance of the Polish people to this enslavement program and the necessity for increased force were described by Defendant Sauckel's deputy, one Timm, at a meeting of the Central Planning Board, which was, by the way, Hitler's war-time planning agency. It was made up of the Defendant Speer, Field Marshal Milch and State Secretary Koerner. The Central Planning Board was the highest level economic planning agency, exercising production controls by allocating raw materials and labor to industrial users.

Now, Document R-124, USA Exhibit No. 179. This document consists of excerpts from minutes of the meetings of this Central Planning Board, and minutes of conference between the Defendant Speer and Hitler. Only the excerpts, of course, from these minutes upon which we rely are being offered in evidence. I would say to the Tribunal, however, that the balance of the minutes are available, can be made available if the Tribunal so desires.

This deputy of Sauckel, his name being Timm, made a statement at the 36th Conference of the Central Planning Board, and it appears on Page 14, Paragraph 2, of the English text of Document R-124, and on Page 10, Paragraph 2, of the German text:

"Especially in Poland the situation at the moment is extraordinarily serious. It is well known that vehement battles occurred just because of these actions. The resistance against the administration established by us is very strong. Quite a number of our men have been exposed to increased dangers, and it was just in the last two or three weeks that some of them were shot

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dead, e.g., the Head of the Labor Office of Warsaw who was shot in his office, and yesterday another man again. This is how matters stand presently, and the recruiting itself, even if done with the best will, remains extremely difficult unless police reinforcements are at hand."

Deportation and enslavement of civilians reached unprecedented levels in the so-called Occupied Eastern Territories. These wholesale deportations resulted directly from labor demands made by the Defendant Sauckel on the Defendant Rosenberg, who was the Reichsminister for the Occupied Eastern Territories, and his subordinates, and also on the Armed Forces demand made directly on the Armed Forces by the Defendant Sauckel.

On the 5th of October 1942, for example, the Defendant Sauckel wrote to the Defendant Rosenberg, stating that 2 million foreign laborers were required, and that the majority of these would have to be drafted from the recently occupied Eastern Territories and especially from the Ukraine.

I wish to refer at this point to Document 017-PS, which bears USA Exhibit Number 180. This letter from the Defendant Sauckel to the Defendant Rosenberg I wish to quote in full. It begins by saying:

"The Fuehrer has worked out new and most urgent plans for the armament which require the quick mobilization of two more million foreign labor forces. The Fuehrer therefore has granted me, for the execution of my decree of 21 March 1942, new powers for my new duties, and has especially authorized me to take whatever measures I think are necessary in the Reich, the Protectorate, the General Gouvernement, as well as in the occupied territories, in order to assure at all costs an orderly mobilization of labor for the German armament industry. The additional required labor force will have to be drafted for the majority from the recently occupied Eastern Territories, especially from the Reichskommissariat Ukraine. Therefore, the Reichskommissariat Ukraine must furnish:

"225,000 labor forces by 31 December 1942 and 225,000 more by 1 May 1942.

"I ask you to inform Reichskommissar Gauleiter party fellow member Koch about the new situation and requirements and especially to see to it that he will support personally in any possible way the execution of this new requirement.

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"I have the intention to visit Party member Koch shortly and I would be grateful to you if you could inform me as to where and when I could meet him for a personal discussion. Right now though, I ask that the procurement be taken up at once with every possible pressure and the commitment of all powers, especially also of the experts of the labor offices. All the directives which had limited temporarily the procurement of Eastern laborers are annulled. The Reichs procurement for the next months must be given priority over all

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other measures.

"I do not ignore the difficulties which exist for the execution of this new requirement, but I am convinced that with the ruthless commitment of all resources, and with the full cooperation of all those interested, the execution of the new demands can be accomplished for the fixed date. I have already communicated the new demands to the Reichskommissar Ukraine via mail. In reference to our long distance phone call of today I will send you the text of the Fuehrer's decree at the beginning of next week."

I should like to remind the Tribunal that we have referred previously on yesterday afternoon to this Reichskommissar Gauleiter Party fellow-member, Koch, and we quoted him as stating, the Tribunal will recall "We are the master race. We must be hard," etc.

On the 17th day of March 1943, the Defendant Sauckel wrote again to the Defendant Rosenberg, and on this occasion he demanded the importation of another 1,000,000 men and women from the Eastern territories within the following four months. I wish to refer at this point to Document No. 019-PS, which bears USA Exhibit No. 181. Quoting that letter in full:

"After a protracted illness my Deputy for Labor Supply in the occupied Eastern Territories, State Councillor Peukert, is going there to regulate the labor supply both for Germany and the territories themselves.

"I ask you sincerely, dear party member Rosenberg, to assist him to your utmost on account of the pressing urgency of Peukert's mission. Already now I may thank you for the hitherto good reception accorded to Peukert. He himself has been charged by me with the absolute and completely unreserved cooperation with all bureaus of the Eastern Territories. Especially the labor supply for the German agriculture, and likewise for the most urgent armament production programs ordered by the Fuehrer make the fastest importation of approximately 1 million women

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and men from the Eastern Territories within the next four months at most. Starting 15 March the daily shipment must have reached 5,000 female and male workers respectively, while beginning of April this number has to be stepped up to 10,000. This is a requisite of the most urgent programs, and the spring tillage, and other agricultural tasks are not to suffer for the detriment of the nutrition and of the armed forces. I have foreseen the allotment of the draft quotas for the individual territories in agreement with your experts for the labor supply as follows:-

Daily quota starting 15 March 1943:

from General Commissariat White Ruthenia	500 people
Economic Inspection Center	500 people
Reichs Commissariat Ukraine	3,000 people
Economic Inspection South	1,000 people
Total:	5,000 people

Starting 1 April 1943 the daily quota is to be doubled corresponding to the doubling of the entire quota.

I hope to visit personally the Eastern Territories towards the end of the month, and ask you once more for your kind support."

The Defendant Sauckel did travel to the East. He travelled to Kauen in Lithuania to present his demands. We offer in evidence document No.204-PS, which bears USA Exhibit No.182. This document is a synopsis of a report of the City Commissioner of Kauen and minutes of a meeting in which the Defendant Sauckel participated. I read from the second page of the English text, beginning with the first paragraph. The same passage appears in the German text at page 5, paragraph 2. Quoting directly as follows:

"In a lecture in which the Plenipotentiary for the Arbeitseinsatz, Gauleiter Sauckel made on 18 July 1943 in Kauen and in an official conference following it, between Gauleiter Sauckel and the General Commissar, the pool of labor in the Reich was again brought up urgently; Gauleiter Sauckel

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again demanded that Lithuanian labor be furnished in greater volume for the purposes of the Reich."

THE PRESIDENT: Who was the General Commissar, Rosenberg?

MR. DODD: The Plenipotentiary for the Arbeitseinsatz?

THE PRESIDENT: No, the General Commissar.

MR. DODD: His name is not known to us. He was apparently a local functionary in the Party.

THE PRESIDENT: Very well.

MR. DODD: The Defendant Sauckel also visited Riga in Latvia, to assert his demands, and the purpose of this visit is described in Document No.2280-PS, bearing USA Exhibit No.183. This document is a letter from the Reich Commissar for the Ostland to the Commissioner General in Riga and it is dated the 3rd of May 1943. I wish to read from page 1 of the English text, beginning with the first paragraph:

"Following the basic statements of the Plenipotentiary General for manpower, Gauleiter Sauckel on the occasion of his visit to Riga on the 21st of April 1943, it was decided in view of the critical situation and in disregard of all adverse considerations, that a total of

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183,000 workers have to be supplied from the Ostland for the Reich territory. This task must absolutely be accomplished within the next four months and at the latest must be completed by the end of August."

Here again we are not informed as to the name identity of the Reich Commissar for the Ostland.

Sauckel asked the German Army for assistance in the recruitment and deportation of civilian labor from the Eastern Territories. We refer now to Document No.3010-PS, which bears USA Exhibit No.184.

THE PRESIDENT: Mr. Dodd, were you saying that it wasn't known from whom that document emanated?

MR. DODD: No, sir. We say it is a letter from the Reichskommissar for the Ostland to the Commissioner General in Riga, but we don't know their names specifically at the time of the writing of the letter.

THE PRESIDENT: You don't know who the Reichskommissar of the Eastern Territories was?

MR. DODD: We don't know him by that title, "The Reichskommissar for the Ostland".

THE PRESIDENT: Very well.

MR. DODD: Lohse, I am now informed, was his name. I understood that we did not know it. Lohse, L-o-h-s-e.

THE PRESIDENT: All right.

MR. DODD: Referring to this Document 3010-PS, this document is a secret organization order of the Army Group South, dated the 17th day of August, 1943. I wish to read from the first page of the English text, the first two paragraphs, as follows:

"The Plenipotentiary General for Labor Employment ordered the recruitment and employment of all born during two years for the whole, newly occupied Eastern territory in Decree Az. VI A 5780.28 (Inclosure 1), copy of which is inclosed. The Reich Minister for Armament and Munition approved this order.

"According to this order by the Plenipotentiary General for Labor Employment (BGA) you have to recruit and to transport to the Reich immediately all labor force in your territory

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born during 1926 and 1927. The decree relative labor duty and labor employment in the theater of operations of the newly occupied Eastern territory of the 6 February 1943 and the executive orders therefore are the authority for the execution of this measure. Enlistment must be completed by 30 Sept. 43 at the latest."

We say it is clear that the demands made by the Defendant Sauckel resulted in the deportation of civilians from the occupied Eastern territories. The Defendant Speer has recorded conferences with Hitler on 10, 11 and 12 August 1942 and this record is containedin Document R-124, which is already in as U.S.A. Exhibit 179. I now wish to quote from Page 34, of that same document in paragraph 1 of the English text. In the German text it appears at Page 23, paragraph 2. Quoting directly:

"Gauleiter Sauckel promises to make Russian labor available for the fulfilment of the iron and coal program and reports that - if required - he can supply a further million Russian laborers for the German armament industry up to and including Oct. 1942. So far, he has already supplied 1 million for industry and 700,000 for agriculture.

In this connection the Fuehrer states that the problem of providing labor can be solved in all cases and to any extent; he authorizes Gauleiter Sauckel to take all measures required.

"He would agree to any necessary compulsion in the East as well as in the West if this question could not be solved on a voluntary basis."

In order to meet these demands of 1,700,000, 100,000 here and there, the Nazi conspirators made terror, and violence and arson, as we said yesterday, fundamental instruments of their labor enslavement policy. Twenty days after the Defendant Sauckel's demands of the 5th of October, 1942, a top official in the Defendant Rosenberg's Ministry described the measures taken to meet these demands. I wish to refer now to document No. 294-PS, which is U.S.A. Exhibit No. 185. This document is a top secret memorandum dated the 25th of October, 1942, signed by one Braeutigam. I

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wish to quote from page 4 of the English text starting with the last paragraph, as follows. In the German text it appears at page 8, paragraph 2. Quoting directly:

"We now experienced the grotesque picture of having to recruit millions of laborers from the Occupied Eastern Territories, after prisoners of war have died of hunger like flies, in order to fill the gaps that have formed within Germany. Now the food question no longer existed. In the prevailing limitless abuse of the Slavic humanity "recruiting" methods were used which probably have their origin in the blackest periods of the slave trade. A regular manhunt was inaugurated. Without consideration of health or age the people were shipped to Germany where it turned out immediately that more than 100,000 had to be sent back because of serious illnesses and other incapabilities for work."

The Defendant Rosenberg wrote himself concerning these brutalities to the instigator of them, the Defendant Sauckel, and we refer now to document No. 018-PS, which bears U.S.A. Exhibit No. 186.

THE PRESIDENT: Mr. Dodd, from where did that top secret document come?

MR. DODD: It came from the files of the Defendant Rosenberg.

This document, 018-PS, is a letter from the Defendant Rosenberg to the Defendant Sauckel, and it is dated the 21st day of December 1942, with attachments. I wish to quote from page 1 of the English text starting at the middle of the second paragraph which reads as follows:

"The report I have received show, that the increase of the guerilla bands inthe occupied Eastern Regions is largely due to the fact that the methods used for procuring laborers in these regions are felt to be forced measures of mass deportations, so that the endangered persons prefer to escape their fate by withdrawing into the woods or going to the guerilla bands."

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Passing now to page 4 of the same English text, there is an attachment to Rosenberg's letter consisting of parts excerpted from letters of residents of the occupied Eastern territories, excerpted by Nazi censors apparently. In the German text it appears at page 6, paragraphs 1 and 2. Starting the quotation:

"At our place, new things have happened. People are being taken to Germany. On Dec. 5, some people from the Kowkuski district were scheduled to go, but they didn't want to and the village was set afire. They threatened to do the same thing in Borowytschi, as not all who were scheduled to depart wanted to go. Thereupon 3 truck loads of Germans arrived and set fire to their houses. In Wrasnytschi 12 houses and in Borowytschi 3 houses were burned.

"On Oct. 1 a new conscription of labor forces took place. From what has happened, I will describe the most important to you. You can not imagine the bestiality. You probably remember what we were told about the Soviets during the rule of the Poles. At that time we did not believe it and now it seems just as incredible. The order came to supply 25 workers, but no one reported. All had fled. Then the German militia came and began to ignite the houses of those who had fled. The fire became very violent, since it had not rained for 2 months. In addition the grain stacks were in the farm yards. You can imagine what took place. The people who had hurried to the scene were forbidden to extinguish the flames, beaten and arrested, so that 7 homesteads burned down. The policemen meanwhile ignited other houses. The people fall on their knees and kiss their hands, but the policemen beat them with rubber truncheons and threaten to burn down the whole village. I don't know how this would have ended if I Sapurkany had not intervened. He

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promised that there would be laborers by morning, During the fire the militia went throught the adjoining villages, seized the laborers, and brought them under arrest. Wherever they did not find any laborers, they detained the parents, until the children appeared. That is how they raged throughout the night in Bielosirka. The workers which had not yet appeared till then, were to be shot. All schools were closed and the married teachers were sent to work here, while the unmarried ones go to work in Germany. They are now catching humans like the dog-catchers used to catch dogs. They are already hunting for one week and have not yet enough. The imprisoned workers are locked in at the schoolhouse. They cannot even go out to perform their natural functions, but have to do it like pigs in the same room. People from many villages went on a certain day to a pilgrimage to the monastery Potschaew. They were all arrested, locked in, and will be sent to work. Among them there are lame, blind and aged people".

Despite the fact that the Defendant Rosenberg wrote this letter with this attachment, we say he nevertheless countenanced the use of force in order to furnish slave labor to Germany and admitted his responsibility for the "unusual and hard measures" that were employed. I refer to excerpts from the transcript of an interrogation under oath of the Defendant Rosenberg on the 6th of October 1945, which is U.S.A. Exhibit 187, and I wish to quote from page 1 of the English text starting with the ninth paragraph.

THE PRESIDENT: You haven't given us the PS number.

MR DODD: It has no PS number.

THE PRESIDENT: I beg your pardon. Has a copy of it been given to Rosenberg's Counsel?

MR DODD: Yes, it has been. It is at the end of the document book, if Your Honors please, the document book the Tribunal has.

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THE PRESIDENT: I see.

DR. ALFRED THOMA (Counsel for Defendant Rosenberg): I am Mr. Thoma. I represent Rosenberg. I am objecting to the reading of this document, and for the following reasons: The Defendant was asked about it in the preliminary hearings several times, and he declared that Sauckel had his authority from the Fuehrer, and he was Plenipotentiary for the Four Year Plan; and he acted accordingly with authority. But on top of that, he wanted voluntary actions, and these were carried through. Sauckel agreed in case the quotas were met. Rosenberg further declared that his ministry, many times, wanted the quotas to be lowered, and in some cases this was granted.

This document, which is going to be presented, does not say anything about these lowerings of the quotas. The document, which is to be presented, only contains fragments of this declaration.

In order to give the Court a complete picture, and to give the Defense the possibility of a comprehensive picture, I ask the Court to ask the Prosecution to show the whole document; and before this document is presented officially, to take recourse with the Defense, in order to prevent all misunderstandings.

THE PRESIDENT: I am not sure that I understand your objection. You say, as I understood it, that Sauckel had authority from Hitler; is that right?

DR. THOMA: Yes.

THE PRESIDENT: And that Rosenberg was carrying out that authority.

DR. THOMA: Yes.

THE PRESIDENT: But all that Counsel for the Prosecution is attempting to do at the moment is to put in evidence an interrogation of Rosenberg. With reference to that, you ask that he should put in the whole interrogatio

DR. THOMA: Yes.

THE PRESIDENT: Well, we don't know yet whether he intends to put in the whole interrogation or a part of it.

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DR. THOMA: I know only this one thing: I have the document, which the Prosecution wishes to submit, in my hands, and I gather from it that only fragments of the whole interrogation minutes are contained therein: and it does not say anything about Rosenberg's always insisting that only volunteers were to be taken, and that Rosenberg always wanted the quotas to be lowered. He demanded the lowering. But this is not shown in the document that is to be submitted.

THE PRESIDENT: If Counsel for the Prosecution reads a part of the interrogation, and you wish to refer to another part of the interrogation, in order that the part he has read should not be misleading, you will be at liberty to do so, when he has read his part of the interrogation; is that clear?

DR. THOMA: Yes. Then I please ask the Tribunal to ask Counsel for the Prosecution whether the document, which he intends to produce, contains the whole declaration of Rosenberg.

THE PRESIDENT: Mr. Dodd, were you going to put in the whole of Rosenberg's interrogation?

MR. DODD: No, Your Honor, I was not prepared to put in the whole of Rosenberg's interrogation, but only certain parts of it. These parts are available, and have been for sometime, to Counsel. The whole of the Rosenberg interrogation, in English, was given to Sauckel's Counsel, however, and he has the entire text of it, the available copy that we have.

THE PRESIDENT: Has Counsel for Rosenberg not got the entire document?

MR. DODD: He only has the excerpt that we propose to read into the record here at this time.

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DR. THOMA: May I please speak?

THE PRESIDENT: Mr. Dodd, the Tribunal considers that if you propose to put in a part of the interrogation, the whole interrogation ought to be submitted to the Defendants' Counsel, that then you may read what part you like of the interrogation, and then Defendants' Counsel may refer to any other part of the interrogation directly, if it is necessary for the purpose of explaining the part which has been read by Counsel for the Prosecution. So before you use this interrogation, Rosenberg's counsel must have a copy of the whole interrogation.

MR. DODD: I might say, Your Honor, that we turned over the whole interrogation to counsel for the Defendant Sauckel, and we understood that he would make it available to all other Defense Counsellors. Apparently, that didn't happen.

DR. THOMA: Thank you, My Lord.

DR. SERVATIUS: Last night I received from the prosecution these documents in English. That, of course, is efficient for me, but Counsel for the other defendants are not in position to follow the English text, so that certain difficulties have arisen, and I have to have the time to interpret these matters for my colleagues, or perhaps the prosecution could give us the German text, for the interrogation took place in German, was translated into English, so that the original German text should be at hand.

Those are the difficulties, and I would like to have the German translation as soon as possible.

MR. DODD. With reference to the so-called German text, the original is in English text. These interrogations were made through an interpreter and they were transcribed in English so that the original text is an English text, and that is what was turned over to the Attorney for the Defendant Sauckel with the understanding that it would be made available to all other counsellors.

THE PRESIDENT: But of course that doesn't quite meet their difficulties because they don't all of them speak English, or are not

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all able to read English, so I am afraid you must wait until Rosenberg's counsel has got a copy of the entire interrogation in his own language.

MR. DODD: Very well.

Passing on beyond the document which we have just referred to, and which we now withdraw in view of the ruling, which we will offer at a later date after we have complied with the ruling of the Court, we have a letter dated the 21st day of December 1942, which is Document 018 PS, and which bears USA Exhibit No. 186 -- which, by the way, is a letter from the Defendant Rosenberg to the Defendant Sauckel -- and I wish to quote from page 1, paragraph 3 of the English text. In the German text it appears at page 4, paragraph 1. Quoting directly:

"Even if I do not close my eyes to the necessity that the numbers demanded by the Reichs Minister for weapons and ammunition as well as by the agricultural economy justify unusual and hard measures, I have to ask, due to the responsibility for the occupied Eastern Territories which lies upon me, that in the accomplishment of the ordered tasks such measures be excluded, the toleration and prosecution of which will some day be held against me, and my collaborators."

In the Ukraine area, arson was indeed used as a terror instrument to enforce these conscription measures, and we refer now to Document No. 254 PS, which is USA Exhibit No. 188. This document is from an official of the Rosenberg Ministry and was also found in the Rosenberg file. It is dated June 29, 1943 and encloses a copy of a letter from one Paul Raab, a district commissioner in the territory of Wassikow, to the Defendant Rosenberg. I wish to quote from Raab's letter, page 1, starting with paragraph 1 of the English text which reads as follows:

"According to a charge by the supreme command of the armed forces" --

THE PRESIDENT (interposing): Mr. Dodd, I thought you said the date of it was the 29th of June 1943.

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MR. DODD: Yes, I did, Your Honor. That was the date on the document.

THE PRESIDENT: The document I have appears to have the original document as June 29, 1945, and the date below is 7/6/44.

MR. DODD: We'll get the original document

I'm sorry, Your Honor. There are two errors here. The document is dated the 29th of June, 1944.

THE PRESIDENT: '44?

MR. DODD: '44.

THE PRESIDENT: I see. And the enclosure is 7/6/44?

MR. DODD: Yes.

"According to a charge by the supreme command of the armed forces that I burned down a few houses in the territory of Wassikow, Ukraine, belonging to insubordinate people ordered for work-duty. This accusation is true."

Passing now to the third paragraph:

"During the year of 1942, the conscription of workers was accomplished by way of propaganda. Only very rarely was force necessary. Only in August 1942, measures had to be taken against two families in the villages Glewenka and Sallisny-Chutter, each of which were to supply one person for labor. Both were requested in June for the first time, but didn't obey although requested repeatedly. They had to be brought up by force, but succeeded twice to escape from the collecting camp, or when being on transport. Before the second arrest, the fathers of both of the men were taken into custody, to be kept as hostages and to be released only when their sons would show up. When, after the second escape, rearrest of both the fathers and boys was ordered, the police patrols ordered to do so, found the houses to be empty."

Passing to paragraph 4, it is stated, and I quote directly:

"That time I decided to take measures" --

THE PRESIDENT: (Interposing): Shouldn't you read on at the top of that page 2? You had read, hadn't you, "I ordered the burning down of the houses of the fugitives"?

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MR. DODD: Yes, I have.

THE PRESIDENT: I thought you were to go on after that "The result was...." Do you see?

MR. DODD: "The result was that in the future the people obeyed willingly."

THE PRESIDENT: Wait a minute. My colleague doubts whether you have read the passage at the bottom of page 1. I thought you had read it, beginning, "That time I decided to take measures....."

MR. DODD: No, I was just beginning to read it.

THE PRESIDENT: I beg your pardon.

MR. DODD: That is the fourth paragraph:

"That time I decided to take measures to show the increasingly rebellious Ukrainian youth that our orders have to be followed. I ordered the burning down of the houses of the fugitives."

Would Your Honor like to have the rest of that paragraph?

THE PRESIDENT: I think you should read the next few lines.

MR. DODD: "The result was that in the future people obeyed willingly orders concerning labor obligations. However, the measure of burning houses has not become known for the first time by my actions, but was suggested in a secret letter from the commissioner for the commitment of labor as a forced measure in case other measures should fail. This harsh punishment was accepted by the population with

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satisfaction."

THE TRIBUNAL (Mr. Biddle): The commissioner for labor, Mr. Dodd -- you just said, "an order from the commissioner of labor." Who was that?

MR. DODD: Well, we have discussed this matter previous to our appearance here today. The document doesn't identify him by name. We are not sure. The Defendant Sauckel was called Plenipotentiary General for Labor, and we think we can't go much further, and say we don't know. It just doesn't appear.

THE TRIBUNAL (Mr. Biddle): Thank you.

MR. DODD: Reading that last sentence, "This hard punishment was accepted by the population with satisfaction previous to the measures, because both families ridiculed all the other duty-anxious families which sent their children partly voluntarily to the labor commitment."

Turning to paragraph 2 on page 2, beginning about two-thirds of the way through the paragraph, I wish to read as follows. In the German text it appears at page 3, paragraph 1:

"After the initial successes, a passive resistance of the population started, which finally forced me to start again on making arrests, confiscations, and transfers to labor camps. After a while a transport of people, obliged to work, overran the police in the railroad station in Wassilkow and escaped. I saw again the necessity for strict measures. A few ring leaders, which of course escaped before they were found in Plissezkoje and in Mitnitza. After repeated attempts to get hold of them, their houses were burned down."

And finally, I wish to pass to the last paragraph on page 3 of that same document. In the German text it appears at page 5, paragraph 7. Quoting from that last paragraph on the third page:

"My actions against fugitive people obliged to work were always reported to district commissioner Doehrer, in office in Wassilkow, and to the general-commissioner (Generalkommissar) in Kiev. Both of them know the circumstances and agreed with my measures because of their success."

That is the end of that part of the quotation.

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That Generalkommissar in Kiev, as we indicated yesterday and again this morning, was the man Koch, concerning whom we quoted his statement about the master race.

Another document confirms the arson as an instrument of enforcing this labor program in the village of Biloserka in the Ukraine in cases of resistance to forced labor recruitment. Atrocities committed in this village are related in Document No. 018 PS, which is already in evidence as U.S.A. Exhibit No. 186. But in addition there is Document No. 290 PS which bears U.S.A. Exhibit No. 189. This document consists of correspondence originating within the Rosenberg Ministry, which was, of course, the office headquarters of the Defendant Rosenberg, and it is dated the 12th day of November, 1943. I wish to quote from page 1 of the English text, starting with the last line, as follows:

"But even if Mueller had been present at the burning of houses in connection with the national conscription in Biloserka, this should by no means lead to the relief of Mueller from office. It is mentioned specifically in a directive of the Commissioner General in Lusk of 21 September 1942, referring to the extreme urgency of the national conscription.

"'Estates of those who refuse to work are to be burned, their relatives are to be arrested as hostages and to be brought to forced labor camps.'"

The SS troops were directed to participate in the abduction of these forced laborers and also in the raids on villages, burning of villages, and were directed to turn the entire population over for slave labor in Germany.

We refer to Document No. 3012 PS, which bears U.S.A. Exhibit No. 190. This document is a secret SS order and it is dated the 19th day of March, 1943. I wish to quote from page 2 of the English text starting with the third paragraph. In the German text it appears at page 2, paragraph 3. It says, and I quote it:

"The activity of the labor offices, that is, of recruiting commissions, is to be supported to the greatest extent possible. It will not be possible always to refrain from using force. During a conference with the Chief of the Labor Commitment Staffs, an agreement was reached stating that whatever prisoners can be released, they should be put at the disposal

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of the Commissioner of the Labor Office. When searching villages, when it has become necessary to burn down villages, the whole population will be put at the disposal of the Commissioner by force."

THE PRESIDENT: Shouldn't you read No. 4?

MR. DODD: I beg your pardon, sir.

THE PRESIDENT: Shouldn't you read No. 4 which follows it?

MR. DODD: No. 4 says:

"As a rule, no more children will be shot."

I might say to Your Honor that parts of these documents are going to be relied on for other purposes later and it sometimes may appear to the Tribunal that we are overlooking some of these excerpts, but nevertheless I am grateful to have them called to our attention because they are most pertinent to these allegations as well.

From the community of Shitomir, where the defendant Sauckel appealed for more workers for the Reich, the Commissioner General reported on the brutality of the conspirators' program, which he described as a program of coercion and slavery. And I now refer to Document No. 265 PS, which is U.S.A. Exhibit No. 191. This document is a secret report of a conference between the Commissioner General of Shitomir and the Defendant Rosenberg in the community of Winniza on the 17th of June, 1943. The report itself is dated the 30th of June, 1943 and is signed by Leyser.

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I wish to quote from page 1 of the English text, beginning with the last paragraph, and in the German text it appears at page 2, paragraph 3.

Quoting it directly:

"The symptoms created by the recruiting of workers are, no doubt, well known to the Reichs Minister through reports and his own observations. Therefore I shall not report them. It is certain that a recuitment of labor, in this sense of the word, can hardly be spoken of. In most cases it is nowadays a matter of actual conscription by force."

That is the end of that quotation. Passing now to page 2 of that same document, and to paragraph 1, line 11--in the German text it appears at page 3, paragraph 2--it says, and I quote it directly:

"But as the Chief Plenipotentiary for the mobilization of labor explained to us the gravity of the situation we had no other device. I consequently have authorized the commissioners of the areas to apply the severest measures in order to achieve the imposed quota. The deterioration of morale in conjunction with this does not necessitate any further proof. It is nevertheless essential to win the war on this front too. The problem of labor mobilization cannot be handled with gloves."

The recruitment measures which we have been discussing enslaved so many citizens of occupied countries that whole areas were depopulated.

I now wish to refer to our document No. 3000-PS, which is U.S.A. Exhibit No. 192. This document is a partial translation of a report from the Chief of Main Office III with the High Command in Minsk, and it is dated the 28th day of June, 1943, sent to Ministerialdirektor Riecke, who was a top official in the Rosenberg

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Ministry. I wish to read from page 1 of the English text, starting with the second paragraph, as follows.

"The recruitment of labor for the Reich, however necessary, had disastrous effects. The recruitment measures in the last months and weeks were absolute manhunts, which have an irreparable political and economic effect. From White Ruthenia approximately 50,000 people have been obtained for the Reich so far. Another 130,000 are to be obtained. Considering the 2.4 million total population, these figures are impossible.

"Due to the sweeping drives of the SS and police in November, 1942, about 115,000 hectar farmland is not used, as the population is not there and the villages have been razed."

We have already referred to the conspirators' objective of permanently weakening the enemy through the enslavement of labor and the breaking up of families, and we invite the Tribunal's attention to Document 031-PS, which is in evidence as U.S.A. Exhibit No. 171, for we desire to emphasize that the policy was applied in the Occupied Eastern Territories with the Defendant Rosenberg's approval of a plan for the apprehension and deportation of 40,000 to 50,000 youths of the ages of 10 to 14. Now, the stated purpose of this plan was to prevent a reinforcement of the enemy's military strength and to reduce the enemy's biological potentialities. We have already quoted from page 3 of the English text of that document to establish that the Defendant Rosenberg approved that plan, the so-called high-action plan. We referred to it yesterday afternoon.

Further evidence of the conspirators' plan to weaken their enemies in utter disregard of the rules of International Law is contained in document No. 1702-PS, which bears U.S.A. Exhibit No. 193.

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This document is a secret order, issued by a Rear Area Military Commandant to the District Commissar at Kasatin, dated the 25th of December, 1943. I quote from page 3 of the English text at paragraph 1. In the German text it appears at page 12, paragraph 1.

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"1) The able bodied male population between 15 and 65 years of age and the cattle are to be shipped back from the district East of the line Belilowka-Berditschen-Shitomir (places excluded)."

This program, which we have been describing, and the brutal measures that it employed, were not limited to Poland and the Eastern Occupied Territories but covered and cursed Western Europe as well. Frenchmen, Dutchmen, Belgians, Italians, all came to know the yoke of slavery and the brutality of their slavemasters.

In France these slavemasters intensified their program in the early part of 1943, pursuant to instructions which the Defendant Speer telephoned to the Defendant Saukel at eight o'clock in the evening, on the 4th day of January, 1943, from Hitler's headquarters. I now refer to Document No. 556-PS 13, which is U.S.A. Exhibit No. 194. This document, incidentally, is a note for his own files, signed by the Defendant Sauckel, dated the 5th of January, 1943. I wish to quote from page 1 of the English text, paragraph 1 as follows:

"1) On 4th January, 1943, at 8 p.m. Minister Speer telephones from the Fuehrer's headquarters and communicates that on the basis of the Fuehrer's decision, it is no longer necessary to give special consideration to Frenchmen in the further recruiting of specialists and helpers in France. The recruiting can proceed with emphasis and sharpened measures."

To overcome resistance to his slave labor program, the Defendant Sauckel improvised new impressment measures which were applied to both France and Italy by his own agents and which he himself labelled as grotesque. At a meeting of the Central Planning Board, on March 1st, 1944, Sauckel stated, and I must refer to Document No. R 124, which is U.S.A. Exhibit No. 179, and particularly page 2 and paragraph 2 of the English text; in the German text it appears at page 2, paragraph 1, Quoting directly from that page and that paragraph:

"The most abominable point made by my adversaries in their claim that no executive had been provided within these areas in order to recruit in a sensible manner the Frenchmen, Belgians and Italians and

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to dispatch them to work. Thereupon, I even proceeded to employ and train a whole batch of French male and female agents who for good pay just as was done in olden times for 'shanghiing' went hunting for men and made them drunk by using liquor as well as words, in order to dispatch them to Germany.

"Moreover, I charged some able men with founding a special labor supply executive of our own, and this they did by training, and arming, with the help of the Higher SS and Police Fuehrer, a number of natives, but I still have to ask the Munitions Ministry for arms for the use of these men. For during the last year alone several dozens of very able labor executive officers have been shot dead. All these means I have to apply, grotesque as it sounds, to refute the allegation there was no executive to bring labor to Germany from these countries".

This same slave labor hunt proceeded in Holland as it did in France, with terror and abduction. I now refer to Document No. 1726-PS, which is U.S.A. Exhibit No. 195. This document is entitled "STATEMENT OF THE NETHERLANDS GOVERNMENT IN VIEW OF THE PROSECUTION AND PUNISHMENT OF THE GERMAN MAJOR WAR CRIMINALS". I wish to quote from enclosure "h", entitled "Central Bureau for Statistics --- The Deportation of Netherlands Workmen to Germany." It is page 1 of the English text, starting with the first paragraph and in the German text it appears at page 1, also paragraph 1. Quoting directly, it reads as follows:

"Many big and reasonably large business concerns, especially in the metal industry, were visited by German commissions who appointed workmen for deportation. This combing out of the concerns was called the 'Sauckel-action', so named after its leader, who was charged with the appointment of foreign workmen in Germany.

"The employers had to cancel the contract with the appointed workmen temporarily, and the latter were forced to register at the labour offices, which then took care of the deportation under supervision of German 'Fachberater'.

"Workmen who refused (relatively few) were prosecuted by the 'Sicherheitsdienst' (SD). If captured by this service, they were mostly lodged for some time in one of the infamous prisoners' camps

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in the Netherlands and eventually put to work in Germany.

"In this prosecution the 'Sicherheitsdienst' (SD) was supported by the German Police Service, which was connected with the labor offices, and was composed of members of the N.S.D. and the like.

"At the end of April, 1942, the deportation of working labourers started on a grand scale. Consequently, in the months of May and June, the number of deportees amounted to not less than 22,000, 2,400 of which many were metal workers.

"After that the action slackened somewhat, but in October, 1942, another top was reached (2,600). After the big concerns, the smaller ones had, in their turn, to give up their personnel.

"This changed in November, 1944. The Germans then started a ruthless campaign for man-power, passing by the labour offices. Without warning, they lined off whole quarters of the towns, seized people in the streets or in the houses and deported them.

"In Rotterdam and Schiedam, where these raids took place on 10 and 11 November, the amount of people thus deported was estimated at 50,000 and 5,000 respectively.

"In other places where the raids were held later, the numbers were much lower, because one was forewarned by the events. The exact figures are not known as they have never been published by the occupants.

"The people thus seized were put to work partly in the Netherlands, partly in Germany --."

A document found in the OKH files furnishes further evidence of the seizure of workers in Holland and I refer to Document No. 3003, which is numbered U.S.A. Exhibit No. 196. This document is a partial translation of the text of a lecture delivered by one, Lieutenant Haupt of the German Wehrmacht, concerning the situation of the war economy in the Netherlands. I wish to quote from page 1 of the English text, starting with the fourth line of paragraph 1, quoting that directly, which reads as follows:

"There had been some difficulties with the Arbeitseinsatz, that is, during the man-catching action, which became very noticeable because it

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was unorganized and unprepared. People were arrested in the streets and taken out of their homes. It has been impossible to carry out a unified release procedure in advance, because for security reasons, the time for the action had not been previously announced. Certificates of release, furthermore, were to some extent not recognized by the officials who carried out the action. Not only workers who had become available through the stoppage of industry but also those who were employed in our installations producing things for our immediate need. They were apprehended or did not dare to go into the streets. In any case it proved to be a great loss to us - ."

I might say to the Tribunal, that the hordes of people displaced in Germany today indicate, to a very considerable extent, the length to which the conspirators' labor program succeeded. The best available Allied and German data reveal that as of January 194, approximately 4,795,000 foreign civilian workers had been put to work for the German war effort in the old Reich, and among them were forced laborers of more than 14 different nationalities. I now refer to Document 2520-PS, which is an affidavit executed by Edward L. Duess, an economic analyst.

At the top of the first page there are tables setting forth the nationality and then the numbers of the various nations and another breakdown of prisoners of war and of political, so-called. The workers alone, total, according to Mr. Duess, who is an expert in the field, the 4,795,000 figure which I have just referred to. In the second paragraph of this statement of Duess, I should like to read for the record and quote directly:

"I, Edward L. Duess, for three years employed by the Foreign Economic Administration, Washington, as an economics analyst in London, Paris and Germany, specializing in labor and population problems of Germany during the war, do hereby certify that the figures of foreign labor employed in the old Reich have been compiled on the basis of the best available German and Allied source material. The accompanying table represents a comination of German official estimates of foreigners working in Germany in January, 1945, and of

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American, British and French figures of the number of foreigners, actually uncovered in the old Reich since 10 May 1945."

Only a very small proportion of these imported laborers came to Germany on a voluntary basis. At the March 1, 1944 meeting of this same Central Planning Board, to which we have made reference before, the Defendant Sauckel made clear himself, the vast scale on which free men had been forced into this labor slavery. He made the statement, and I quote from Document R 124, which is in evidence as U.S.A. Exhibit No 179, and from which I have quoted earlier this morning. I wish to refer to page 11 of that document, the middle paragraph, paragraph 3. In the German text it appears at page 4, paragraph 2, (the Defendant Sauckel speaking), and I quote directly from that document:

"Out of five million foreign workers who arrived in Germany, not even 200,000 came voluntarily."

The Nazi conspirators were not satisfied just to tear five million odd

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persons from their children, from their homes, from their native lands. But in addition, these defendants, who sit today in this Courtroom, insisted that this vast number of wretched human beings, who were in the so-called old Reich as forced laborers, must be starved, given less than sufficient to eat, often beaten and mistreated, and permitted to die wholesale for want of food, for want of even the fundamental requirements of decent clothing, for the want of adequate shelter or indeed, sometimes just because they produced too little.

Now, these conditions of deportation are vividly described in Document 054-PS, which is a report made to the Defendant Rosenberg, concerning the treatment of Ukranian labor. I wish to refer to Document 054-PS, which bears the number U.S.A. Exhibit 198. Before quoting from it directly, according to this report the plight of these hapless victims was aggravated because many were dragged off without opportunity to collect their possessions. Indeed, men and women were snatched from bed and lodged in cellars, pending deportation. Some arrived in night clothing. Brutal guards beat them. They were locked in railroad cars for long periods without any toilet facilities at all, without food, without water, without heat. The women were subjected to physical and moral indignities and indecencies during medical examinations.

I refer now specifically to this Document 054-PS, which consists of a covering letter to the Defendant Rosenberg, first of all, and is signed by one Theurer, a Lieutenant in the Wehrmacht, to which is attached a copy of a report by the Commandant of the Collecting Center for Ukrainian Specialists at Charkow, and it also consists of a letter written by one of the specialists in the Rosenberg office - no, by one of the workers, not in the Rosenberg office, but one of the specialists they were recruiting, by the name of Grigori. I wish to quote from the report at page 2, starting at paragraph 4 of the English text and in the German text it appears at page 3, paragraph 4. Quoting directly from that page of the English text:

"The starosts, that is village elders, are frequently corruptible, they continue to have the skilled workers, whom they drafted, dragged

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from their beds at night to be locked up in cellars until they are shipped. Since the male and female workers often are not given any time to pack their luggage, and so forth, many skilled workers arrive at the Collecting Center for Skilled Workers with equipment entirely insufficient (without shoes, only two dresses, no eating and drinking utensils, no blankets, etc.). In particularly extreme cases, new arrivals thereforehave to be sent back again immediately to get the things most necessary for them. If people do not come along at once, threatening and beating of skilled workers by the above mentioned militia is a daily occurrence and is reported from most of the communities. In some cases women were beaten until they could no longer march. One bad case in particular was reported by me to the commander of the civil police here (Colonel Samek) for severe punishment (place Sozokinkow, district Dergatschni). The encroachments of the starosts and the militia are of a particularly grave nature because they usually justify themselves by claiming that all that is done in the name of the German Armed Forces. In reality, the latter have conducted themselves throughout in a highly understanding manner toward the skilled workers and the Ukrainian population. The same, however, cannot be said of some of the administrative agencies. To illustrate this be it menti ned, that a woman once arrived being dressed with barely more than a shirt."

Passing now to page 4 of this same document, starting with the tenth line of the third paragraph and in the German text it appears at page 5, paragraph 2, quoting directly again:

"On the basis of reported incidents, attention must be called to the fact that it is irresponsible to keep workers locked in the cars for many hours so that they cannot even take care of the calls of nature. It is evident that the people of a transport must be given an opportunity from time to time, in order to get drinking water, to wash, and in order to relieve themselves. Cars have been shown in which people had made holes so that they could take care of the calls of nature. When nearing bigger stations, persons should, if possible, relieve themselves far from these stations."

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Turning to page 5 of the same document, paragraph 12; in the German text it appears at page 6, paragraph 1:

"The following abuses were reported from the delousing stations:

"In the women's and girls' shower rooms, services were partly performed by men or men would mingle around or even helped with the soaping and vice versa, there were female personnel in the men's shower rooms; men also for sometime were taking photographs in the women's shower rooms. Since mainly Ukrainian peasants were transported in the last months, as far as the female portion of these are concerned, they were mostly of a high moral standard and used to strict decency, they must have considered such a treatment as a national degradation. The above mentioned abuses have been, according to our knowledge, settled by the intervention of the transport commanders. The reports of the photographing were made from Halle; the reports about the former were made from Kieverce. Such incidents in complete disregard with honor and respect of the Greater German Reich may still occur again here or there."

Sick and infirm people of the occupied countries were taken indiscriminately with the rest. Those who managed to survive the trip into Germany, but who arrived too sick to work, were returned like cattle, together with those who fell ill at work, because they were of no further use to the Germans. The return trip took place under the same terrible conditions as the initial journey, and without any kind of medical supervision. Death came to many and their corpses were unceremoniously dumped out of the cars, with no provision for burial.

I quote from page 3, paragraph 3 of Document 054-PS. In the German text it appears at page 2, paragraph 3. Quoting directly:

"Very depressing for the morale of the skilled workers and the population is the effect of those persons shipped back from Germany for having become disabled or not having been fit for labor commitment from the very beginning. Several times already transports of skilled workers on their way to Germany have crossed returning transports of such disabled persons and have stood on the tracks alongside of each

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other for a longer period of time. These returning transports are insufficiently cared for. Nothing but sick, injured or weak people, mostly 56 to 60 in a car, are usually escorted by 3 to 4 men. There is neither sufficient care or food. The returnees made frequently unfavourable -- but surely exaggerated -- statements relative to their treatment in Germany and on the way. As a result of all this and of what the people could see with their own eyes, a psychosis of fear was evoked among the specialist workers, that is, the whole transport to Germany. Several transport leaders of the 62nd and the 63rd in particular reported thereto in detail. In one case the leader of the transport of skilled workers observed with his own eyes how a person who died of hunger was unloaded from a returning transport on the side track. (First Lt. Hofman of the 63rd Transport Station, Darniza). Another time it was reported that three dead had to be deposited by the side of the tracks on the way and had to be left behind unburied by the escort. It is also regrettable that these disabled persons arrive here without any identification. According to the reports of the transport commanders, one gets the impression that these persons unable to work, are assembled, penned into the wagons and sent off provided only by a few men escorts, and with ut special carefor food and medical or other attendance. The Labor Office at the place of arrival as well as the transport commanders confirm this impression."

Incredible as it may seem, mothers in the throes of childbirth shared cars with those infected with tuberculosis or venereal diseases. Babies, when born, were hurled out of these car windows and dying persons lay on the bare floors of freight cars without even the small comfort of straw.

I refer to Document 984-PS, which is U.S.A. Exhibit No. 199. This document is an interdepartmental report, prepared by Dr. Gutkelch, in the Defendant Rosenberg's Ministry and it is dated the 30th of September, 1942. I wish to quote from page 10 of the English text, starting with the fourth line from the top of the page. In the German text it appears at page 22, paragraph 1.

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Quoting directly from that paragraph:

"How necessary this interference was is shown by the fact that this train with returning laborers had stopped at the same place where a train with newly recruited Eastern laborers had stopped. Because of the corpses in the trainload of returning laborers, a catastrophe might have been precipitated had it not been for the mediation of Mrs. Miller. In this train women gave birth to babies who were thrown out of the windows during the journey, people having tuberculosis and venereal diseases rode in the same car, dying people lay in freight cars without straw, and one of the dead was thrown on the railway embankment. The same must have occurred in other returning transports."

Some aspects of the Nazi transport were described by the Defendant Sauckel himself in a decree which he issued on the 20th of July, 1942; and I refer specifically to Document No. 2241-PS-3, which is USA Exhibit No. 200. I ask that the Tribunal take judicial notice of the original decree, which is published in Section B-1-a, at page 48-e, of a book entitled "Die Beschaeftigung von Auslaendischen Arbeitskraeften im Deutschland." I quote from page 1, paragraph 2, of the English text, and I am quoting directly:

"According to reports of transportation commanders (Transportleiters) presented to me, the special trains provided by the German railway have frequently been in a really deficient condition. Numerous windowpanes have been missing in the coaches. Old French coaches without lavatories have been partly employed so that the workers had to fit up an emptied compartment as a lavatory. In other cases, the coaches were not heated in winter so that the lavatories quickly became unusable because the water system was frozen and the flushing apparatus was therefore without water."

The Tribunal will unquestionably have noticed, or observed, that a number of the documents which we have referred to--and which we have offered--consist of complaints by functionaries of the Defendant Rosenberg's ministry, or by others, concerning the conditions under which foreign workers were recruited and lived. I think it is appropriate to say that these

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documents have been presented by the Prosecution really for two purposes, or for a dual purpose, to establish, first, the facts recited therein, of course, but also to show that these conspirators had knowledge of these conditions, and that notwithstanding their knowledge of these conditions, these conspirators continued to countenance and assist in this enslavement program of a vast number of citizens of occupied countries.

Once within Germany, slave laborers were subjected to almost unbelievable brutality and degradation by their captors; and the character of this treatment was in part made plain by the conspirators' own statements, as in Document No. 016-PS, which is in evidence as USA Exhibit No. 168, and I refer to page 12, paragraph 2 of the English text; in the German text it appears at page 17, paragraph 4.

Quoting directly:

"All the men must be fed, sheltered, and treated in such a way as to exploit them to the highest possible extent at the lowest conceivable degree of expenditure."

Force and brutality as instruments of production found a ready adherent in the Defendant Speer who, in the presence of the Defendant Sauckel, said, at a meeting of the Central Planning Board--and I refer to Document No. R-124, which is already in evidence and which has been referred to previously. It bears the Exhibit number 179. I refer particularly to page 42 of that Document R-124, and paragraph 2 of that page 42. The Defendant Speer speaking at that meeting:

"We must also discuss the slackers. Ley has ascertained that the sick-list decreased to one-fourth or one-fifth in factories where doctors are on the staff who are examining the sick men. There is nothing to be said against SS and police taking drastic steps and putting those known as slackers into concentration camps. There is no alternative. Let it happen several times and the news will soon go around."

At a later meeting of the Central Planning Board, Field Marshal Milch agreed that so far as workers were concerned--and again I refer

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to Document R-124, and to page 26, paragraph 2 in the English text; and in the German Text at page 17, paragraph 1. Field Marshal Milch, speaking at a meeting of the Central Planning Board when the Defendant Speer was present--and I am quoting directly:

"The list of the shirkers should be entrusted to Himmler's trustworthy hands."

THE PRESIDENT: Page 17?

MR. DODD: No, Your Honor; page 26, paragraph 2. The page 17 was of the German text; in the English text it is at page 26.

THE PRESIDENT: Thank you.

MR. DODD: Milch made particular reference to foreign workers--again in this Document R-124, at page 26, paragraph 3; in the German text it appears at page 18, paragraph 3--when he said, and I am quoting him directly:

"It is therefore not possible to exploit fully all the foreigners unless we compel them by piece-work or we have the possibility of taking measures against foreigners who are not doing their bit."

The policy as actually executed was even more fearful than the policy as expressed by the conspirators. Indeed, these impressed workers were underfed and overworked, and they were forced to live in grossly overcrowded camps where they were held as virtual prisoners, and were otherwise denied adequate shelter, adequate clothing, adequate medical care and treatment and, as a consequence, they suffered from many diseases and ailments. They were generally forced to work long hours, up to and beyond the point of exhaustion. They were beaten and subjected to all manner of inhuman indignities.

An example of this mistreatment is found in the conditions which prevailed in the Krupp factories. Foreign laborers at the Krupp works were given insufficient food to enable them to perform the work required of them.

I refer to Document No. D-316, which is USA Exhibit No. 201. This

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document was found in the Krupp files. It is a memorandum upon the Krupp stationery to a Mr. Hupe, a director of the Krupp Locomotive Factory in Essen, Germany, dated the 14th of March, 1942. I wish to refer to page 1 of the English text, starting with paragraph 1, as follows, and I am quoting directly:

"During the last few days we established that the food for the Russians employed here is so miserable, that the people are getting weaker from day to day.

"Investigations showed that single Russians are not

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able to place a piece of metal for turning into position, for instance, because of lack of physical strength. The same conditions exist in all places of work where Russians are employed."

The condition of foreign workers in Krupp workers' camps is described in detail in an affidavit executed in Essen, Germany, by Dr. Wilhelm Jager, who was the senior camp doctor. It is Document No. 288, which is USA Exhibit No. 202.

THE PRESIDENT: 288-PS?

MR. DODD: D-288.

"I, Dr. Wilhelm Jager, am a general practitioner in Essen, Germany, and its surroundings. I was born in Germany on 2 December, 1888, and now live at Kettwig, Sengenholz, Germany. I make the following statement of my own free will. I have not been threatened in any way and I have not been promised any sort of reward.

"On the 1st of October, 1942, I became senior camp doctor in Krupp's workers' camps, and was generally charged with the medical supervision of all Krupp's workers' camps in Essen. In the course of my duties it was my responsibility to report upon the sanitary and health conditions of the workers' camps to my superiors in the Krupp works. It was a part of my task to visit every Krupp camp which housed foreign civilian workers, and I am therefore able to make this statement on the basis of my personal knowledge.

"My first official act as senior camp doctor was to make a thorough inspection of the various camps. At that time, in October 1942, I found the following conditions:

"The eastern workers and Poles who labored in the Krupp works at Essen were kept at camps at Seumannstrasse, Spenlestrasse, Grieperstrasse, Heecstrasse, Germaniastrasse, Kapitan-Lehmannstrasse, Dechenschule, and Kramerplatz. (When the term "eastern workers" is hereinafter used, it is to be taken as including Poles.) All of the camps were surrounded by barbed wire and were closely guarded.

"Conditions in all of these camps were extremely bad. The camps were greatly overcrowded. In some camps there were twice as many people in a

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ERRATUM SHEET

Record December 12, 1945

The following material is to be inserted in the record of the Tribunal at Page 1323, following the words "Only inferior meats, rejected by the veterinary such as horse meat or tuberculin infested was permitted for this purpose. This meat was usually cooked into a soup:"

"The clothing of the eastern workers was likewise completely inadequate. They worked and slept in the same clothing in which they had arrived from the east. Virtually all of them had no overcoats and were compelled, therefore, to use their blankets as coats in cold and rainy weather. In view of the shortage of shoes many workers were forced to go to work in their bare feet, even in the winter. Wooden shoes were given to some of the workers, but their quality was such as to give the workers sore feet. Many workers preferred to go to work in their bare feet rather than endure the suffering caused by the wooden shoes. Apart from the wooden shoes, no clothing of any kind was issued to the workers until the latter part of 1943, when a single blue suit was issued to some of them. To my knowledge, this represented the sole issue of clothing to the workers from the time of their arrival until the American forces entered Essen.

"Sanitary conditions were exceedingly bad. At Kramerplatz, where approximately 1,200 eastern workers were crowded into the rooms of an old school, the sanitary conditions were atrocious in the extreme. Only 10 childrens' toilets were available for the 1200 inhabitants. At Dechenschule, 15 childrens' toilets were available for the 400-500 eastern workers. Excretion contaminated the entire floors of these lavatories. There were also few facilities for washing. The supply of bandages, medicine, surgical instruments, and other medical supplies at these camps was likewise altogether insufficient. As a consequence, only the very worst cases were treated."

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barrack as health conditions permitted. At Kramerplatz, the inhabitants slept in treble-tiered bunks, and in the other camps they slept in double-tiered bunks. The health authorities prescribed a minimum space between beds of 50 cm, but the bunks in these camps were separated by a maximum of 20 to 30 cm.

"The diet prescribed for the eastern workers was altogether insufficient. They were given 1,000 calories a day less than the minimum prescribed for any German. Moreover, while German workers engaged in the heaviest work received 5,000 calories a day, the eastern workers in comparable jobs received only 2,000 calories. The eastern workers were given only two meals a day and their bread ration. One of these two meals consisted of a thin, watery soup. I had no assurance that the eastern workers, in fact, received the minimum which was prescribed. Subsequently, in 1943, when I undertook to inspect the food prepared by the cooks, I discovered a number of instances in which food was withheld from the workers.

"The plan for food distribution called for a small quantity of meat per week. Only inferior meats, rejected by the veterinary, such as horse meat or tuberculin-infested, was permitted for this purpose. This meat was usually cooked into a soup.

"The percentage of eastern workers who were ill was twice as great as amoung the Germans. Tuberculosis was particularly widespread among the eastern workers. The tuberculosis rate among them was 4 times the normal rate (2 per cent eastern workers, German, .5 per cent). At Dechenschule approximately 2½ per cent of the workers suffered from open tuberculosis. These were all active tuberculosis cases. The Tarters and Kirghis suffered most; as soon as they were overcome by this disease they collapsed like flies. The cause was bad housing, the poor quality and insufficient quantity of food, overwork, and insufficient rest.

"These workers were likewise afflicted with spotted fever. Lice, the carrier of this disease, together with countless fleas, bugs and other vermin tortured the inhabitants of these camps. As a result of the filthy conditions of the camps nearly all eastern workers were afflicted with skin disease. The shortage of food also caused many cases of Hunher-Odem, Nephritis and Shighakruse.

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"It was the general rule that workers were compelled to go to work unless a camp doctor had prescribed that they were unfit for work. At Seumannstrasse, Grieperstrasse, Germanistrasse, Kapitan-Lehmannstrasse, and Dechenschule, there was no daily sick call. At these camps, the doctors did not appear for two or three days. As a consequence, workers were forced to go to work despite illnesses.

"I undertook to improve conditions as well as I could. I insisted upon the erection of some new barracks in order to relieve the overcrowded conditions of the camps. Despite this, the camps were still greatly overcrowded, but not as much as before. I tried to alleviate the poor sanitary conditions in Krammerplatz and Dechenschule by causing the installation of some emergency toilets, but the number was insufficient, and the situation was not materially altered.

"With the onset of heavy air raids in March 1943, conditions in the camps greatly deteriorated. The problem of housing, feeding, and medical attention became more acute than ever. The workers lived in the ruins of their former barracks. Medical supplies which were used up, lost or destroyed, were difficult to replace. At times, the water supply at the camps was completely shut off for periods of eight to fourteen days. We installed a few emergency toilets in the camps, but there were far too few of them to cope with the situation.

"During the period immediately following the March 1943 raids many foreign workers were made to sleep at the Krupp factories in the same rooms in which they worked. The day workers slept there at nights, and the night workers slept there during the day despite the noise which constantly prevailed. I believe that this condition continued until the entrance of American troops into Essen.

"As the pace of air raids was stepped up, conditions became progressively worse. On 28 July 1944, I reported to my superiors that:

"'The sick barrack in camp Rabenhorst is in such a bad condition one cannot speak of a sick barrack anymore. The rain leaks through in every corner. The housing of ill is therefore impossible. The necessary labour for production is in danger because those persons who are ill cannot recover.'

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"At the end of 1943, or the beginning of 1944 -- I am not completely sure of the exact date -- I obtained permission for the first time to visit the prisoner of war camps. My inspection revealed that conditions at these camps were worse than those I had found at the camps of the eastern workers in 1942. Medical supplies at such camps were virtually non-existent. In an effort to cure this intolerable situation, I contacted the Wehrmact authorities whose duty it was to provide medical care for the prisoners of war. My persistent efforts came to nothing. After visiting and pressing them over a period of two weeks, I was given a total of 100 aspirin tablets for over 3,000 prisoners of war.

"The French prisoner of war camp in Nogerratstrasse had been destroyed in an air raid attack and its inhabitants were keps for nearly half a year in dog kennels, urinals, and in old baking houses. The dog kennels were three feet high, nine feet long, and six feet wide. Five me slept in each of them. The prisoners had to crawl into these kennels on all fours. The camp contained no tables, chairs, or cupboards. The supp of blankets was inadequate. There was not water in the camp. That treat ment was extended was given in the open. Many of these conditions were reported to me in a report by Dr. Stinnesbeck dated 12 June 1944, in which he said:

"Three hundred fifteen prisoners are still accommodated in the camp. One hundred seventy of these are no longer in barracks but in the tunnel in Grunertstrasse under the Essen-Mulheim railway line. This tunnel is damp and is not suitable for continued accommodation of human beings. The rest of the prisoners are accommodated in 10 different factories in Krupps works. The first medical attention is given by a French Military Doctor who takes great pains with his fellow countrymen. Sick people fro Krupp factories must be brought to the sick parade. This parade is held in the lavoratory of a burned out public house outside the camp. The sleeping accommodation of the four French orderlies is in what was the men's room. In the sick bay there is a double tier wooden bed. In general, the treatment takes place in the open. In rainy weather it is

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held in the above mentioned small room. These are insufferable conditions. There are no chairs, tables, cupboards, or water. The keeping of a register of sick people is impossible. Bandages and medical supplies are very scarce, although badly hurt in the works are very often brought here for first aid and have to be bandaged here before being transported to hospital. There are many loud and lively complaints about food which the guard personnel confirms as being correct.

'Illness and loss of manpower must be reckoned with under these conditions'.

In my report to my superiors at Krupps dated 2 September 1944 I stat

"Camp Humboldstrasse has been inhabitated by Italian prisoners of war. After it had been destroyed by an air raid, the Italians were removed and 600 Jewish females from Buchenwald Concentration Camps were brought in to work at the Krupp factories. Upon my first visit at Camp Humbolstrasse, I found these females suffering from open festering wounds and other deseases.

"I was the first doctor they had seen for at least a fortnight. There was no doctor in attendance at the camp. There was no medical supplies in the camp. They had no shoes and went about in their bare feet The sole clothing of each consisted of a sack with holes for their arms and head. Their hair was shorn. The camp was surrounded by barbed wire and closely guarded by SS guards.

"The amount of food in the camp was extremely meagre and of very poor quality. The houses in which they lived consisted of the ruins of former barracks and they afforded no shelter against rain and other weather conditions. I reported to my superiors that the guards lived and slept outside their barracks as one could not enter them without being attacked by 10, 20 and up to 50 fleas. One camp doctor employed by me refused to enter the camp again after he had been bitten very badly. I visited this camp with Mr. Grone on two occasions and both times we left the camp with badly bitten. We had great difficulty in getting rid of the fleas and insects which had attacked us. As a result of this attack by

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insects of this camp, I got large boils on my arms and the rest of my body. I asked my superiors at the Krupp works to undertake the necessary steps to de-louse the camp so as to put an end to this unbearable vermin-infested condition. Despite this report, I did not find any improvement in sanitary conditions at the camp on my second visit a fortnight later.

"When foreign workers finally became too sick to work or were completely disabled they were returned to the labour Exchange in Essen and from there, they were sent to a camp at Friedrichsfeld. Among persons who were returned over to the Labour Exchange were aggravated cases of tuberculosis, malaria, neurosis, cancer which could not be treated by operation, old age, and general feebleness. I know nothing about conditions at this camp because I have never visited it. I only know that it was a place to which workers who were no longer of any use to Krupp were sent.

"My colleagues and I reported all of the foregoing matters to Mr. IHH, Director of Friedrich KRUPP A., Dr. Wiels, personal physician of Gustav Krupp von Bohlen and Halbach, Senior Camp Leader Kunke, and at all times to the health department. Moreover, I know that these gentlemen personally visited the camps.

"/signed/ Dr. Wilhelm Jager."

THE PRESIDENT: We will adjourn now until two o'clock.

(WHEREUPON at 1235 the Tribunal recessed.)

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H0020-0048

Official transcript of the International Military Tribunal, in the matter of: The United States of America, the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics, against Hermann Wilhelm Goering, et al, Defendants, sitting at Nürnberg, Germany, on 12 December 1945, 1400-1700, Lord Justice Lawrence presiding.

MR. DODD: May it please the Tribunal: We had just completed the reading of the affidavit executed by Dr. Wilhelm Jager at the noon recess. The conditions which were described in this affidavit were not confined to the Krupp factories alone but existed throughout Germany, and we turn to a report of the Polish Main Committee made to the Administration of the General Government Poland, Document R-103, which has the number 204 as its number for the U.S. Exhibit. This document is dated the 17th day of May, 1944, and describes the situation of the Polish workers in Germany, and I wish to refer particularly to page 2 of the English translation, starting with paragraph 2; in the German text it appears at page 2, paragraph 2, also. In quoting from the document, it reads:

"The cleanliness of many overcrowded camp rooms is contrary to the most elementary requirements. Often there is no opportunity to obtain warm water for washing; therefore, the cleanest parents are unable to maintain even the most primitive standard of hygiene for their children or often even to wash their only set of linen. A consequence of this is the spreading of scabies which cannot be eradicated.

"We receive imploring letters from the camps of eastern workers and their prolific families beseeching us for food. The quantity and quality of camp rations mentioned therein -- the so-called fourth grade of rations -- is absolutely insufficient to maintain the energies spent in heavy work. 3.5 kg. of bread weekly and a thin soup at lunch time, cooked with swedes or other vegetables without any meat or fat, with a meager addition of potatoes now and then is a hunger ration for a heavy worker.

"Sometimes punishment consists of starvation which is inflicted,

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that is, for refusal to wear the badge 'East'. Such punishment has the result that workers faint at work (Klosterteich Camp, Gruenheim, Saxony). The consequence is complete exhaustion, an ailing state of health, and tuberculosis. The spreading of tuberculosis among the Polish factory workers is a result of the deficient food rations meted out in the community camps because energy spent in heavy work cannot be replaced.

"The call for help which reaches us brings to light starvation and hunger, severe stomach intestinal trouble, especially in the case of children, resulting from the insufficiency of food which does not take into consideration the needs of children. Proper medical treatment or care for the sick are not available in the mass camps." End of the quotation.

We now refer to page 3 of this same document, and particularly to the first paragraph. In the German text it appears at page 5, paragraph 1:

"In addition to these bad conditions, there is lack of systematic occupation for and supervision of these hosts of children, which affects the life of prolific families in the camps. The children, left to themselves without schooling or religious care, must run wild and grow up illiterate. Idleness in rough surroundings may and will create unwanted results in these children. An indication of the awful conditions this may lead to is given by the fact that in the camps for eastern workers (camp for Eastern workers, 'Waldlust', Post Office Lauf, Pegnitz) there are cases of 8-year old delicate and undernourished children put to forced labor and perishing from such treatment.

"The fact that these bad conditions dangerously affect the state of health and the vitality of the workers is proved by the many cases of tuberculosis found in very young people returning from the Reich to the General Government as unfit for work. Their state of health is usually so bad that recovery is out of the question. The reason is that a state of exhaustion resulting from overwork and a starvation diet

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is not recognized as an ailment until the illness betrays itself by high fever and fainting spells.

"Although some hostels for unfit workers have been provided as a precautionary measure, one can only go there when recovery may no longer be expected (Neumarkt in Bavaria). Even there the incurables waste away slowly, and nothing is done even to alleviate the state of the sick by suitable food and medicines. There are children there with tuberculosis whose cure would not be hopeless and men in their prime who, if sent home in time to their families in rural districts, might still be able to recover. No less suffering is caused by the separation of families when wives and mothers of small children are away from their families and sent to the Reich for forced labor."

And finally, from page 4 of the same document, starting with the first paragraph. In the German text it appears at page 7, paragraph 4:

"If, under these conditions, there is no moral support such as is normally based on regular family life, then at least such moral support which the religious feelings of the Polish population require should be maintained and increased. The elimination of religious services, religious practice and religious care from the life of the Polish workers, the prohibition of church attendance at a time when there is a religious service for other people, and other measures show a certain contempt for the influence of religion on the feelings and opinions of the workers." End of quotation.

THE PRESIDENT: Can you tell us who the Polish Central Committee were; or, I mean, how they were founded?

MR. DODD: Well, insofar as we are aware, it was a committee apparently set up by the Nazi State when it occupied Poland, to work in some sort of cooperation with it during the days of the occupation. We don't know the names of the members, and we haven't any more specific information.

THE PRESIDENT: Is it a captured document?

MR. DODD: It is a captured document, yes, sir. All of the documents

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that I am presenting in connection with this case are, excepting the Netherlands Government's report and one or two other official reports, the Dois affidavit and such other matters. That particular document, it has just been called to my attention, was captured by the United States Third Army.

Particularly harsh and brutal treatment was reserved for workers imported from the conquered eastern territories. As we have illustrated, they did indeed live in bondage, and they were subjected to almost every form of degradation, quartered in stables with animals, denied the right of free worship, and the ordinary pleasures of human society.

Illustrative of this treatment is Document EC 68, bearing USA Exhibit No. 205. This document, EC 68, bears the title "Directives on the Treatment of Foreign Farmworkers of Polish Nationality", issued by the Minister for Finance and Economy of Baden, Germany, on the 6th of March 1941. And we don't know his name, nor have we been able to ascertain it.

Quoting from the English text of this document from the beginning:

"The agencies of the Reich Food Administration State Peasant Association of Baden have received the result of the negotiations with the higher SS and Police Officer in Stuttgart on 14 February 1941, with great

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satisfaction. Appropriate memoranda have already been turned over to the District Peasants Associations. Below, I promulgate the individual regulations, as they have been laid down during the conference and how they are now to be applied accordingly:

"1. Fundamentally, farmworkers of Polish nationality no longer have the right to complain, and thus no complaints may be accepted any more by any official agency.

"The farmworkers of Polish nationality may not leave the localities in which they are employed, and have a curfew from 1 October to 31 March from 2000 hours to 0600 hours, and from 1 April to 30 September from 2100 hours to 0500 hours.

"The use of bicycles is strictly prohibited. Exceptions are possible for riding to the place of work in the field if a relative of the employer or the employer himself is present.

"The visit of churches, regardless of faith, is strictly prohibited, even when there is no service in progress. Individual spiritual care by clergymen outside of the church is permitted.

"Visits to theaters, motion pictures, or other cultural entertainment are strictly prohibited for farmworkers of Polish nationality.

"The visit of restaurants is strictly prohibited to farmworkers of Polish nationality, except for one restaurant in the village, which will be selected by the Rural Councillor's office (Landratsamt), and then only one day per week. The day, which is determined as the day to visit the restaurant, will also be determined by the Landratsamt. This regulation does not change the curfew regulation mentioned above under No.2.

"Gatherings of farmworkers of Polish nationality after work is prohibited, whether it is on other farms, in the stables, or in the living quarters of the Poles.

"The use of railroads, buses or other public conveyances by farmworkers of Polish nationality is prohibited.

"Permits to leave the village may only be granted in very exceptional cases, by the local police authority (Mayor's office). However, in no case may it be granted if he wants to visit a public agency on his own,

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whether it is a labor office or the District Peasants Association or whether he wants to change his place of employment.

"Arbitrary change of employment is strictly prohibited. The farmworkers of Polish nationality have to work daily so long as the interests of the enterprise demands it, and as it is demanded by the employer. There are no time limits to working time.

"Every employer has the right to give corporal punishment toward farmworkers of Polish nationality, if instructions and good words fail. The employer may not be held accountable in any such case by an official agency.

"Farmworkers of Polish nationality should if possible be removed from the community of the home, and they can be quartered in stables etc., No remorse whatever should restrict such action.

"Report to the authorities is compulsory in all cases, when crimes have been committed by farmworkers of Polish nationality, which are to sabotage the enterprise or slow down work; for instance, unwillingness to work, impertinent behavior; it is compulsory even in minor cases. An employer who loses his Pole who must serve a longer prison sentence because of such a compulsory report will receive another Pole from the competent labor office on request with preference.

"In all other cases, only the state police is still competent."

"For the employer himself, severe punishment is contemplated if it is established that the necessary distance from farmworkers of Polish nationality has not been kept. The same applies to women and girls. Extra rations are strictly prohibited. Noncompliance to the Reich tariffs for farmworkers of Polish nationality will be punished by the competent labor office by the taking away of the worker."

The women of the conquered territories were led away against their will to serve as domestics, and the Defendant Sauckel described this program in his own words, which appear in Document 016-PS, already offered in evidence as U.S.A. Exhibit 168. 016-PS, and particularly page 8, fourth paragraph of the English text; in the German text it appears at page 10, paragraph 1, and I quote directly:

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"In order to relieve considerably the German housewife, especially the mother with many children, and the extremely busy farmwoman, and in order to avoid - "

THE PRESIDENT: You are reading page 7, not page 8.

MR. DODD: I am sorry, 7.

THE PRESIDENT: Yes.

MR. DODD: Page 7.

"In order to relieve considerably the German housewife, especially the mother with many children, and the extremely busy farmwoman, and in order to avoid any further danger to their health, the Fuehrer also charged me with the procurement of 400,000 - 500,000 selected, healthy and strong girls from the territories of the East, for Germany".

That is the end of the quotation.

Once captured, once forced to become laborers in Germany, or workers in Germany, these Eastern women, by order of the slave-master Defendant Sauckel, were bound to the household to which they were assigned, permitted at the most three hours of freedom a week, and denied the right to return to their homes.

I now refer to document No. 3044 (b) PS. That is U.S.A. Exhibit No. 206. The document is a decree issued by the Defendant Sauckel containing instructions for housewives concerning Eastern household workers, and I ask that the Court take judicial notice of the original decree which appears on pages 592 and 593, of the second volume of a publication of the Zentralverlag of the NSDAP, entitled "Verfuegungen Anordnungen Bekanntgaben," and I quote from the first paragraph of the English translation of a portion of the decree as follows: "There is no claim for free time. Female domestic workers from the East may, on principle, leave the household only to take care of domestic tasks."

THE PRESIDENT: On what page are you reading.

MR. DODD: Page 1 of the English text, No. 3044 (b)PS, sir.

THE PRESIDENT: Yes, I have got it.

MR. DODD: "As a reward for good work, however, they may be given the opportunity to stay outside the home without work for 3 hours once a week. This leave must end with the onset of darkness, at the latest at 2000 hours.

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It is prohibited to enter restaurants, movies, or other theaters, and similar establishments provided for German, or foreign workers. Attending church is also prohibited. Special events may be arranged for Eastern domestics in urban homes by the German Workers' Front, for Eastern domestics in rural homes by the Reich Food Adm nistration with the German Women's League. Outside the home, the Eastern domestic must always carry her work card as a personal pass. Vacations, return to homes. Vacations are not granted as yet. The recruiting of Eastern domestics is for an indefinite period." End of quotation.

Always over these enslaved workers was the shadow of the Gestapo, and the tortue of the concentration camps. Like other major programs of the Nazi conspirators, the black-shirted guards of the SS, and Himmler's methods of dealing with the people were the instruments employed for enforcement.

On the subject of the slave laborers, a secret order dated 20 February 1942 issued by Reichsfuehrer SS Himmler to SD, and security police officers concerning Eastern workers spells out the violence which was applied

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against them. I offer this order in evidence which is our document 3040 PS, which is USA Exhibit No. 207, and I ask this Court to take judicial notice of the original order, which is published in the "Allgemeine Erlassammlung," Part II, Section 2-A, Roman numeral III, small letter "f", paragraph 15 to 24... pages rather fifteen to twenty-four, and I wish to quote from page three of the English Text starting with paragraph, Roman number III; the German text it appears in section 2-A, Roman number III, "f", at page 19 of the publication as follows:

"III Combating violations against discipline.

(1) According to the equal status of the manpower from the original Soviet Russian territory with prisoners of war, a strict discipline must be exercised in the quarters and at the working place. Violations against discipline, including work refusal and loafing at work, will be fought exclusively by the secret State police. The smaller cases will be settled by the leader of the guard according to instruction of the State police administration offices with measures as provided for in the enclosure. To break acute resistance, the guards shall be permitted to use also physical power against the manpower. But this may be done only for cogent cause. The manpower should always be informed about the fact that they will be treated decently when conducting themselves with discipline and accomplishing good work. In severe cases, that is in such cases where the measures at the disposal of the leader of the guard do not suffice, the State police has to act with its means. Accordingly, they will be treated, as a rule, only with strict measures, that is, with transfer to a concentration camp, or with special treatment.

The transfer to a concentration camp is done in the usual manner. In especially severe cases special treatment is to be requested at the Reich security main office, stating personnel data, and the exact history of the act.

Special treatment is hanging. It should not take place in the immediate vicinity of the camp. A certain numer of manpower from

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the original Soviet Russian territory should attend the special treatment; at that time they are warned about the circumstances which lead to this special treatment.

Should special treatment be required within the camp for exceptional reasons of camp discipline, this is also to be requested."

And I turn now to page four of the original text, paragraph Roman number VI; in the German text it appears at section 2-A, Roman numerals III, "f", on page 20.

"VI. Sexual Intercourse.

Sexual intercourse is forbidden to the manpower of the original Soviet Russian territory. By means of their closely confined quarters they have no opportunity for it.

For every case of sexual intercourse with German countrymen, or women, special treatment is to be requested for male manpower from the original Soviet Russian territory, transfer to a concentration camp for female manpower."

and finally from page five of the same document, paragraph Roman number VIII, and in the German text it appears at section 2-A, Roman numberal III, "f", at page twenty-one:

"VIII, Search.

Fugitive workers from the original Soviet Russian territory are to be announced principally in the German search book.

Furthermore, search measures are to be decreed locally. When caught the fugitive must receive special treatment.

We have said to this Tribunal more than once that the primary purpose of the entire slave labor program was, of course, to compel the people of the occupied country to work for German work economy. The decree by which Sauckel was appointed Plenipotentiary General for manpower reveals that the purpose of the appointment was to facilitate acquisition of the manpower required for German war industries, and in particular the armaments industry, by centralizing under Sauckel responsibility for the recruitment and allocation of foreign labor and prisoners of war in these industries. I refer to document bearing our number 1666-PS. This document is a decree signed by

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Hitler, Lammers, and the defendant Keitel, and it is dated 21st day of March, 1942, appointing the defendant Sauckel the Plenipotentiary General for the utilization of labor. I ask that the Court take judicial notice of the original decree, which is published at page 179, Part I, of the 1942 Reichsgesetzblatt; referring to the English text starting at paragraph 1, as follows, and quoting directly:

> "In order to secure the manpower requisite for the war industries as a whole, and particularly for armaments, it is necessary that the utilization of all available manpower, including that of workers recruited abroad, and of prisoners of war, should be subject to a uniform control, directed in a manner appropriate to the requirements of war industry, and further that all still incompletely utilized manpower in the Greater German Reich, including the Protectorate, and in the General Government, and in the occupied territories should be mobilized. Reichsstatthalter and Gauleiter Fritz Sauckel will carry out this task within the framework of the Four Year Plan, as Plenipotentiary General, for the utilization of labor. In that capacity he will be directly responsible to the Commissioner for the Four Year Plan."
>
> "Section III (wages) and Section V (Utilization of labor) of the Reich Labor Ministry, together with their subordinate authorities, will be placed at the disposal of the Plenipotentiary General for the accomplishment of his task."

Sauckel's success can be measured from a letter which he himself wrote to Hitler on 15 April 1943, and which contained his report on the one year of his activities. We refer to document as No. 407-PS, Roman numberal VI, which bears USA Exhibit No. 209. I wish to quote from paragraphs 6 and 9 on page one of the English Text; in the German text it appears at page 2, paragraphs 1 and 2:

> "After one year's activity as Plenipotentiary for the Direction of Labor, I can report that 3,638,056 new foreign workers were given to the German war economy from 1 April of last year to 31 March of this year. The 3,638,056 are distributed amongst the following

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branches of the German war economy. Armament - 1,568,801."

Still further evidence of this steady use of this enslaved foreign labor is found again in a report of the Central Planning Board, to which we have referred so many times this morning and yesterday. Another meeting of this Central Planning Board was held on 16th day of February 1944, and I refer to our document R-124, which contains the minutes of this meeting of the Central Planning Board, and which has been already offered in evidence as USA Exhibit No. 179, and I want to refer particularly to page 26, paragraph 1 of the English text of the document R-124. It is at page 16, in paragraph 2, the German text quoted from the English text:

"The armament industry employs foreign workmen to a large extent; according to the latest figures - 40%."

Moreover, our document 2520-PS, which is in evidence as USA Exhibit No. 197, records that according to Speer Ministry tabulations, as of 31 December, 1944, approximately two million civilian foreign workers were employed directly in the manufacture of armaments and munitions (end products or components). That the bulk of these workers had been forced to come to Germany against their will is made clear by Sauckel's statement, which I previously quoted from paragraph 3 of page 11, of document R-124. We quoted it this morning, the statement being that of five million foreign workers less than two-hundred thousand -- or only two-hundred thousand came voluntarily.

The Defendants Sauckel, Speer and Keitel succeeded in the inforcement of foreign labor to construct military fortifications. Thus, citizens of France, Holland and Belgium were compelled against their will to engage in the construction of the "Atlantic Wall", and we refer to our document 556-PS-2, which is USA Exhibit No. 194. This is the Hitler order dated 8th day September 1942, and it is initialed by the Defendant Keitel.

Quoting the order directly which said:

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"The extensive costal fortifications which I have ordered to be erected in the area of Army Group West make it necessary that in the occupied territory all available workers should be committed and should give the fullest extent of their productive capacities. The previous allotment of domestic workers is insufficient. In order to increase it I order the introduction of compulsory labor and the prohibition of changing the place of employment without permission of the authorities in the occupied territories. Furthermore, the distribution of food and clothing ration cards to those subject ot labor draft should in the future depend on the possession of a certificate of employment. Refusal to accept an assigned job, as well as abandoning the place of work without the consent of the authorities in charge, will result in the withdrawal of the food and clothing ration cards. The GBA (Deputy General for Arbeitseinsatz) in agreement with the military commander, as well as the Reich Commissar, will issue the corresponding decrees for execution."

Indeed, the Defendant Sauckel boasted to Hitler concerning the contribution of the forced labor program to the construction of the Atlantic Wall by the Defendant Speer's Organization Todt. And we refer to document 407-PS VIII, which is U.S.A. Exhibit No. 195. This document is a letter from the Defendant Sauckel to Hitler dated the 17th day of May 1943. And I refer to the second and last paragraphs:

"In addition to the labor allotted to the total German economy by the Arbeitseinsatz since I took office, the Organization Todt was supplied with new labor continually. Thus the Arbeitseinsatz has done everything to help make possible the completion of the Atlantic Wall."

Similarly, Russian civilians were forced into labor battalions and compelled to build fortifications to be used against their own countryment. In Document 131-PS, in evidence as U.S.A. Exhibit No. ~~117~~ 171, which is a memorandum of the Rosenberg Ministry, which stated in paragraph one at page one of that document:

"Men and women in the theaters of operations have been and will be conscripted into labor battalions to be used in the construction of fortificati

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THE PRESIDENT: Page one?

MR DODD: Paragraph one, page one.

THE PRESIDENT: 031 in the document book?

MR DODD: 031-PS

THE PRESIDENT: Beginning on my page: "Evacuation of Jew will be"--there is another one that you read already on the 14th of June 1944, 031, which begins--the actual beginning of the paragraph is, "The Obergruppenfuehrer has given his consent to again submit the matter"--

MR. DODD: Yes. This document to which I now make reference is dated 12 June 1944, and is marked "Top Secret".

THE PRESIDENT: Yes.

MR. DODD: And begins, "Copy No. 1 of 2 copies."

THE PRESIDENT: Yes.

MR. DODD: Re evacuation of Jews, etc., one memorandum, and I was reading from the fifth line down.

THE PRESIDENT: Oh, well.

MR. DODD: To the gauleiter part.

THE PRESIDENT: I have got it now, yes.

MR. DODD: "The men and women in the theaters of operations have been and will be conscripted into labor battalions to be used in the construction of fortifications."

In addition the conspirators compelled prisoners of war to engaged in operations of war against their own country and its allies. At a meeting of the Central Planning Board, again held on February 19, 1943, attended by the Defendant Speer and the Defendant Sauckel and Field Marshal Milch, the following conversation occurred and is recorded in our document R-124, at page thirty-two, paragraph five, of the English text. It is page twenty, the last paragraph, of the German text, and I quote it, the Defendant Sauckel speaking:

"Sauckel: If any prisoners are taken there, they will be needed.

"Milch: We have made a request for an order that a certain percentage of men in the anti-aircraft artillery must be Russians. Fifty thousand

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will be taken altogether; thirty thousand are already employed as gunners. This is an amusing thing that Russians must work the guns."

We refer now to documents Nos. 3027 and 3028, and they are respectivel U.S.A. Exhibit 211 for 3027 and 212 for 3028. They will be found at the very back, I believe, of the document book in a separate manila folder. They are official German Army photographs, and if Your Honors will examine document 3027-PS the caption states that Russian prisoners of war are actin as ammunition bearers during the attack upon Tschedowe. Document 3028-PS consists of a series of official German Army photographs taken in July and August 1941 showing Russian prisoners of war in Latvia and the Ukraine being compelled to load and unload ammunition trains and trucks and being required to stack ammunition, all we say in flagrant disregard of the rules of International Law, particularly Article Six of the regulations annexed to the Hague Convention, No. four Of 1907, which provides that the tasks of prisoners of war shall have no connection with the operations of war. The use of prisoners of war in the German armament industry was as wide-spread and as extensive almost as in the use of the forced foreign civilian labor, and we refer to document No. 3005-PS, which is U.S.A.Exhibit 213. This document is a secret letter from the Reichs Minister of Labor to the presidents of the Regional Labor Exchange Offices, which refers to an order of the Defendant Goering to the effect that--and I quote now from paragraph one of that document--I am quoting it directly:

"Upon personal order of the Reich Marshal one hundred thousand men ar to be taken from among the French prisoners of war not yet employed in armament industry and are to be assigned to the armament industry (airplan industry). Gaps in manpower supply resulting therefrom will be filled by Soviet prisoners of war. The transfer of the above-named French prisoners of war is to be accomplished by 1 October." The Reich Marshal referred to that quotation is of course the Defendant Goering.

A similar policy was followed with respect to Russian prisoners of wa The Defendant Keitel directed the execution of Hitler's order to use pri-

H0020-0063

soners of war in the German war economy. And I now make reference to our document EC-194, which has U.S.A. Exhibit No. 214. This document is also a secret memorandum, according to its label, issued from Hitler's headquarters on the 31st of October 1941, and I read from page one, paragraphs one and two, quoting it directly as follows:

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"The lack of workers is becoming an increasingly dangerous hindrance for the future German war and armament industry. The expected relief through discharges from the armed forces is uncertain as to the extent and date; however, its possible extent will by no means correspond to expectations and requirements in view of the great demand.

"The Fuehrer has now ordered that even the working power of the Russian prisoners of war should be utilized to a large extent by large-scale assignment for the requirements of the war industry. The prerequisite for production is adequate nourishment. Also very small wages are to be planned for the most modest supply, with a few consumers goods for every day's life eventual rewards for production."

And quoting now from the same document, paragraph 2, II and III -- I am quoting directly:

"II. Construction and Armament Industry.

"(a) Work units for constructions of all kinds, particularly for the fortification of coastal defenses (concrete workers unloading units for essential war plants).

(b) Suitable armament factories which have to be selected in such a way that their personnel should consist in the majority of prisoners of war under guidance and supervision (eventually after withdrawal and other employment of the German workers).

"III. Other War Industries.

"(a) Mining as under II(b)

"(b) Railroad construction units for building tracks etc.

"(c) Agriculture and forestry in closed units. The utilization of Russian prisoners of war is to be regulated on the basis of above examples by:

"To I. The armed forces.

"To II. The Reich Minister for Arms and Ammunition and the Inspector General for the German Road System in agreement with the Reich Minister for Labor and Supreme Commander of the Armed Forces. Deputies of the Reich Minister for Arms and Ammunition are to be

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admitted to the prisoner-of-war camps to assist in the selection of skilled workers."

The Defendant Goering at a conference at the Air Ministry on the 7th day of November 1941 also discussed the use of prisoners of war in the armament industry. And we refer now to our document No.1206-PS, which bears USA Exhibit No.215. This document consists of top secret notes on Goering's instructions as to the employment and treatment of prisoners of war in many phases of the German war industry. And I wish to quote from paragraph one of page one and paragraph four of page two of the English text, and from paragraph one, page one, and paragraph one page three of the German text as follows:

"The Fuehrer's point of view as to employment of prisoners of war in war industries has changed basically. So far a total of five million prisoners of war -- employed so far two million."

And on page two: "In the Interior and the Protectorate it would be ideal if entire factories could be manned by Russian prisoners of war except the employees necessary for direction. For employment in the Interior and the Protectorate the following are to have priority:

"(a) At the top coal mining industry. Order by the Fuehrer to investigate all mines as to suitability for employment of Russians. At times manning the entire plant with Russian laborers.

"(b) Transportation (construction of locomotives and cars, repair shops). Railroad-repair and industry workers are to be sought out from the prisoners of war. Railroad is most important means of transportation in the East.

"(c) Armament Industries. Preferably factories of armor and guns. Possibly also construction of parts for airplane engines. Suitable complete sections of factories to be manned exclusively by Russians. For the remainder employment in columns. Use in factories of tool machinery, production of farm tractors, generators, etc. In emergency, erect in individual places barracks for occasional workers which are used as unloading details and similar purposes. (Reich Minister of the Interior through communal authorities).

H0020-0066

"OKW/AWA is competent for transporting Russian prisoners of war employment through 'Planning Board for Employment of all prisoners of war.' If necessary, offices of Reich Commissiarats.

"No employment where danger to men or their supply exists, that is, factories exposed to explosives, waterworks, powerworks etc. No contact with German population, especially no 'solidarity.' German worker as a rule is foreman of Russians.

"Food is a matter of the Four Years' Plan. Supply their own food (cats, horses etc.)

"Clothes, billeting, messing somewhat better than at home where part of the people live in caverns.

"Supply of shoes for Russians as a rule wooden shoes; if necessary install Russian shoe repair shops.

"Examination of physical fitness in order to avoid importation of diseases.

"Clearing of mines as a rule by Russians; if possible by selected Russian engineers."

The Defendant Goering was not the only one of these Defendants who sponsored and applied the policy of using prisoners of war in the armament industry; The Defendant Speer also sponsored and applied this same policy of using prisoners of war in the armament industry. And we refer to the document bearing our number 1435-PS, which also carries USA Exhibit No.216. This document is a speech to the Nazi Gauleiters delivered by the Defendant Speer on the 24th day of February of 1942, and I wish to read from paragraph two of that document, and I quote as follows:

"I therefore proposed to the Fuehrer at the end of December that all my labor force, including specialists, be released for mass employment in the East. Subsequently the remaining prisoners of war, about ten thousand, were put at the disposal of the armaments industry by me."

He also reported at the 36th meeting of the Central Planning

H0020-0067

Board, held on the 22nd day of April 1943, that only thirty percent of the Russian prisoners of war were engaged in the armament industry. This the Defendant Speer found unsatisfactory. And referring again to Document R-124, the minutes of the Central Planning Board, and particularly to page seventeen of that document, and to paragraph ten of the English text, and page fourteen paragraph seven of the German text, we find this statement by the Defendant Speer, quoting directly:

"There is a specified statement showing in what sectors the Russian prisoners of war have been distributed, and this statement is

H0020-0068

quite interesting. It shows that the armaments industry only received thirty percent. I always complained about this."

And at page twenty of the same document, R-124, paragraph one on page twenty of the English text, and page fourteen the last paragraph of the German text. The Defendant Speer stated, and I quote from that paragraph directly:

"The ninety thousand Russian prisoners of war employed in the whole of the armaments industry are for the greatest part skilled men."

The Defendant Sauckel, who was appointed Plenipotentiary General for the utilization of labor for the express purpose, among others, of integrating prisoners of war into the German war industry made it plain that prisoners of war were to be compelled to serve the German armament industry. His labor mobilization program, which is document 016-PS, already marked U.S.A. Exhibit 168, contains this statement on page six paragraph ten of the English text, and page nine paragraph one of the German text:

"All prisoners of war, from the territories of the West as well as of the East, actually in Germany, must be completely incorporated into the German armament and nutrition industries. Their production must be brought to the highest possible level."

MR. DODD: I wish to turn now from the exploitation of foreign labor in general to a rather special Nazi program which appears to us to have combined the brutality and the purposes of the slave labor program with those of the concentration camp. The Nazis placed all Allied nationals in concentration camps and forced them, along with the other inmates of the concentration camps, to work under conditions which were set to actually exterminate them. This was what we call the Nazi program of extermination through work.

In the Spring of 1941 these conspirators turned to the concentration camps as a further source of the slave labor for the armaments industry. I refer again to a new Document No. R 129, bearing USA Exhibit No. 217. This document is a letter to Himmler, the Reichsfuehrer SS, and it is dated the 30th day of April 1942, from one of his subordinates, an individual named Pohl, SS Obergruppenfuehrer and General of the Waffen SS; and I wish

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to quote from the first page of that document. Quoting directly:

"Today I report about the present situation of the concentration camps and about measures I have taken to carry out your order of the 3rd March 1942."

Then moving on from paragraphs numbered 1, 2 and 3 on page 2 of the English text, and at page 1 of the German text, I quote as follows:

"1. The war has brought about a marked change in the structure of the concentration camps and has changed their duties with regard to the employment of the prisoners. The custody of prisoners for the sole reasons of security, education, or prevention is no longer the main consideration. The mobilization of all prisoners who are fit for work for purposes of the war now, and for purposes of construction in the forthcoming peace, come to the foreground more and more.

"2. From this knowledge some necessary measures result with the aim to transform the concentration camps into organizations more suitable for the economic tasks, whilst they were formerly merely politically interested.

"3. For this reason I have gathered together allthe leaders of the former inspectorate of Concentration camps, all Camp Commanders, and all managers and supervisors of work on the 23rd and 24th of April, 1942; I have explained personally to them this new development. I have compiled in the order attached the main essentials, which have to be brought into effect with the utmost urgency if the commencement of work for purposes of the armament industry is not to be delayed."

Now, the order referred to in that third paragraph set the framework for a program of relentless exploitation, providing in part as follows; and I now refer to the enclosure appended to the quoted letter which is also a part of Document R 129, found at page 3, paragraphs numbered 4, 5, and 6 of the English text, and page 3 of the German text.

"4. The camp commander alone is responsible for the employment of the labor available. This employment must be, in the true meaning of the word, exhaustive, in order to obtain the greatest measure of performance. Work is allotted by the Chief of the Department D centrally and alone. The camp commanders themselves may not accept on their own initiative work offered by third parties and may not negotiate by it.

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"5. There is no limit to working hours. Their duration depends on the kind of working establishments in the camps and the kind of work to be done. They are fixed by the camp commanders alone.

"6. Any circumstances which may result in a shortening of working hours (e.g. meals, roll-calls) have therefore to be restricted to the minimum which cannot be condensed any more. It is forbidden to allow long walks to the place of working and noon intervals only for eating purposes."

The armaments production program we have just described was not merely a scheme for mobilizing the manpower potential of the camps. It actually was integrated directly into the la rger Nazi program of extermination; and I wish to refer at this point to our document bearing No. 654 PS and USA Exhibit 218.

THE PRESIDENT: Do you think it will be convenient to break off now for a few minutes?

MR. DODD: Very well.

(A recess was taken from 1540 to 1550 hours.)

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MR. DODD: At the recess time I had made reference to Document No. 654 PS which has the USA Exhibit No. 218. This document is a memorandum of an agreement between Himmler, Reichsfuehrer SS, and the Minister of Justice, Thierack. It is dated the 18th day of September 1942. The concept of extermination to which I have referred shortly before the recess, was embodied in this document and I wish to quote from page 1, paragraph 2 of 764 PS.

"2. The delivery of anti-social elements from the execution of their sentence to the Reich Fuehrer of SS to be worked to death. Persons under protective arrest, Jews, Gypsies, Russians and Ukrainians, Poles with more than 3 year sentences, Czechs and Germans with more than 8 year sentences, according to the decision of the Reich Minister for Justice. First of all the worst anti-social elements amongst those just mentioned are to be handed over. I shall inform the Fuehrer of this through Reichsleiter Bermann."

Now, this agreement further provided in paragraph 12 on page 2 of the English text, and page 3, paragraph 14 of the German text, as follows:

"14. It is agreed that, in consideration of the intended aims of the Government for the clearing up of the Eastern problems, in future Jews, Poles, Gypsies, Russians and Ukrainians are no longer to be judged by the ordinary courts, so far as punishable offenses are concerned, but are to be dealt with by the Reich Fuehrer of SS. This does not apply to civil lawsuits, nor to Poles whose names are announced or entered in the German Racial Lists."

Now, in September of 1942, the defendant Speer made arrangements to bring this new source of labor within his jurisdiction. Speer convinced Hitler that significant production could be obtained only if the concentration camp prisoners were employed in factories under the technical control of the Speer Ministry instead of the control in the camps. In fact, without Speer's cooperation, we say it would have been most difficult to utilize the prisoners on any large scale for war production since he would not allocate to Himmler the machine tools and other necessary equipment. Accordingly, it was agreed that the prisoners were to be exploited in factories under the defendant Speer's control. To compensate

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Himmler for surrendering this jurisdiction to Speer, the defendant Speer proposed, and Hitler agreed, that Himmler would receive a share of the armaments output, fixed in relation to the man hours contributed by his prisoners. The minutes of Speer's conference with Hitler on the 20th, 21st, and the 22nd days of September 1942, Document R 124, which is in evidence as U.S.A. Exhibit No. 179, and I wish to refer particularly to page 34 of the English text. These are defendant Speer's minutes on this conference. I'm quoting from page 34, paragraph 36, beginning at the middle of the page, and it's at the top of page 26 in the German text:

"I pointed out to the Fuehrer that, apart from an insignificant amount of work, no possibility exists of organizing armament production in the concentration camps, because: (1) the machine tools required are missing; (2) there are no suitable premises. Both these assets would be available in the armaments industry, if use could be made of them by a second shift.

"The Fuehrer agrees to my proposal, that the numerous factories set up outside towns for ARP reasons, should release their workers for supplementing the second shift in town factories and should in return be supplied with labor from the concentration camps - also two shifts.

"I pointed out to the Fuehrer the difficulties which I expect to encounter if Reichsfuehrer SS Himmler should be able, as he requests, to exercise authoritative influence over these factories. The Fuehrer, too, does not consider such an influence necessary.

"The Fuehrer, however, agrees that Reichsfuehrer SS Himmler should draw advantages from making his prisoners available; he should get equipment for his division.

"I suggest to give him a share in kind (war equipment) in radio to the working hours done by his prisoners. A three to five per cent share is discussed, the equipment also being calculated according to working hours. The Fuehrer would agree to such a solution.

"The Fuehrer is prepared to order the additional delivery of this equipment and weapons to the SS, according to a list submitted to him."

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After a demand for concentration camp labor had been created, and after a mechanism had been set up by the defendant Speer for exploiting this labor in armament factories, measures were evolved for increasing the supply of victims for extermination through work. A steady flow was assured by the agreement between Himmler and the Minister of Justice mentioned above, which was implemented by such programs as the following, and I refer to document L 61, marked U.S.A. Exhibit No. 177, and I wish to quote from paragraph 3. That document, the Tribunal will recall, is the defendant Sauckel's letter dated the 26th of November 1942 to the Presidents of the Landes Employment Offices, and I wish to quote paragraph 3 of that letter.

"The Poles who are to be evacuated as a result of this measure will be put into concentration camps and put to work where they are criminal or social elements."

General measures were supplemented by special drives for persons who would not otherwise have been sent to concentration camps.

THE PRESIDENT: Didn't you read that this morning?

MR. DODD: Yes, I did, Your Honor. I was reading it again with particular reference to this phase.

For example, for "reasons of war necessity" Himmler ordered that at least 35,000 prisoners qualified for work

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should be transferred immediately to concentration camps. I now offer in evidence Document No. 1063 PS D, which is Exhibit U.S.A. No. ~~139~~ 219. This document is a Himmler order dated the 17th of December 1942. The order provides, and I quote in part, beginning with the first paragraph of that document:

"For reasons of war necessity not to be discussed further here, the Reichsfuehrer SS and Chief of the German Police on the 14th of December 1942 has ordered that until the end of January 1943, at least 35,000 prisoners qualified for work, are to be sent to the concentration camps. In order to reach this number, the following measures are required: (1) As of now (so far until 1 February 1943) all eastern workers or such foreign workers who have been fugitives, or who have broken contracts, and who do not belong to allied, friendly or neutral States are to be brought by the quickest means to the nearest concentration camps.

(2) The commanders and the commandants of the security police and the security service, and the chiefs of the State Police Headquarters will check immediately on the basis of a close and strict ruling:

(a) the prisons

(b) the labor reformatory camps.

"All prisoners qualified for work, if it is essentially and humanly possible, will be committed at once to the nearest concentration camp, according to the following instructions, for instance also if penal procedures were to be established in the near future. Only such prisoners who in the interest of investigation procedures are to remain absolutely in solitary confinement can be left there.

"Every single laborer counts!"

Measures were also adopted to insure that this extermination through work was practiced with maximum efficiency. Subsidiary concentration camps were established near important war plants. The defendant Speer has admitted that he personally toured Upper Austria and selected sites for concentration camps near various munitions factories in the area. I'm about to refer to the transcript of an interrogation under oath of

H0020-0075

the defendant Albert Speer.

THE PRESIDENT: Mr. Dodd, do you understand that the last document you read, 1063 PS D to refer to prisoners of war or prisoners in ordinary prisons or what?

MR. DODD: We understood it to refer to prisoners in ordinary prisons. In view of the Tribunal's ruling this morning, I think I should state that, with respect to this interrogation of defendant Speer, we had provided the defendants' counselors with the entire text in German. It happens to be a brief interrogation, and so we were able to complete that translation, and it has been in their information center.

DR. FLAECHSNER (for Defendant Speer): In reference to the interrogation which the prosecutor just mentioned I would like to say the following:

It is true that we have received the German transcript of the English protocol, if this could be called a protocol. In comparison of the English text with the German transcript it is seen that during the transcript of the English text as well as the German translation, the comparison with the English text with the German text, that in the English text as well as in the German transcript there are several mistakes which I believe are attributed to an error of the interrogator. I believe, therefore, that the so-called protocol, also the English text, does not actually give the contents of what the defendant Speer actually said during the interrogation or what he wanted to say at that time. It would not serve the establishment of the truth if this protocol would ever be used.

THE PRESIDENT: Mr. Dodd, when was the German translation given to counsel for the defendant?

MR. DODD: About four days ago, your Honor.

THE PRESIDENT: Mr. Dodd, is there any certification by the Interrogator as to the English translation?

MR. DODD: There is, your Honor. There is a certification at the end of the interrogation by the Interrogator and by the Interpreter,

and by the Reporter as well. There are three certifications.

THE PRESIDENT: I think the best course would be in those circumstances to receive the interrogation now. You will have an opportunity, by calling the defendant, to show in what way he alleges, or you allege, that the interrogation is inaccurately translated.

DR. FLAECHSNER: Thank you, sir.

MR. DODD: May I respectfully refer your Honors to the last document in the Document Book, four pages from the end?

THE PRESIDENT: Which page do you refer to?

MR. DODD: I refer to the page bearing the number 16 of the English text of the transcript of the interrogation and page 21 of the German text. The answer quoted is:

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"The fact that we were anxious to use workers from concentration camps in factories and to establish small concentration camps near the factories in order to use the manpower that was available there was a general fact. But it did not only come up in connection with this trip."

THE PRESIDENT: I think I ought to say to Defendant's Counsel that if he had waited until he heard that piece of evidence read, he would have seen it was quite unnecessary to make any objection.

MR. DODD: Defendant Goering endorsed this use of concentration camp labor and asked for more. We refer to our document 1584-PS, Part 1, which is U.S.A. Exhibit No. 221. This document is a teletype from Goering to Himmler dated 14th February, 1944. I quote from the document beginning with the second sentence:

"At the same time I ask you to put at my disposal as great a number of concentration camp (KZ-) convicts as possible for air armament, as this kind of manpower proved to be very useful according to previous experience. The situation of the air war makes subterranean transfer of industry necessary. For work of this kind concentration camp (KZ-) convicts can be especially well concentrated at work and in the camp."

Defendant Speer subsequently assumed responsibility for this program, and Hitler promised Speer that if the necessary labor for the program could not be obtained, a hundred thousand Hungarian Jews would be brought in by the SS.

Speer recorded his conferences with Hitler on April 6th and April 7th, 1944, in document R 124, which is U.S.A. Exhibit No. 179,

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already in evidence. I quote from page 36 of the English text, page 29 of the German text as follows.

> "Suggested to the Fuehrer that, due to lack of builders and equipment, the second big building project should not be set up in German territory, but in close vicinity to the border on suitable soil (preferable on gravel base and with transport facilities) on French, Belgian or Dutch territory. The Fuehrer agrees to this suggestion if the works could be set up behind a fortified zone. French territory speaks mainly the fact that it would be much easier to procure the necessary workers. Nevertheless, the Fuehrer asks an attempt be made to set up the second works in a safer area, namely in the Protectorate. If it should prove impossible there, too, to get hold of the necessary workers, the Fuehrer himself will contact the Reichsfuehrer "SS" and will give an order that the required 100,000 men are to be made available by bringing in Jews from Hungary. Stressing the fact that the building organization was a failure, the Fuehrer demands that these works must be built by the O.T. exclusively and that the workers should be made available by the Reichsfuehrer "SS". He wants to hold a meeting shortly in order to discuss details with all the men concerned."

The unspeakably brutal, inhumane, and degrading treatment inflicted on Allied nationals and other victims of concentration

H0020-0079

camps while they were being literally worked to death is described in document L 159, which is not in the document book. The document is an official report prepared by a U.S. Congressional Committee, U.S. Senate Document No. 47, which inspected the liberated camps at the request of General Eisenhower. It bears U.S.A. Exhibit No. 222. I quote first from page 14 the last paragraph and from the first two paragraphs on page 15 of the English text,

H0020-0080

"The treatment accorded to these prisoners in the concentration camps was generally as follows: They were herded together in some wooden barracks not large enough for one-tenth of their number. They were forced to sleep on wooden frames covered with wooden boards in tiers of two, three and even four, sometimes with no covering, sometimes with a bundle of dirty rags serving both as pallet and coverlet.

"Their food consisted generally of about one-half of a pound of black bread per day and a bowl of watery soup for noon and night, and not always that. Owing to the great numbers crowded into a small space and to the lack of adequate sustenance, lice and vermin multiplied, disease became rampant, and those who did not soon die of disease or torture began the long, slow process of starvation. Nothwithstanding the deliberate starvation program inflicted upon these prisoners by lack of adequate food, we found no evidence that the people of Germany as a whole were suffering from any lack of sufficient food or clothing. The contrast was so striking that the only conclusion which we could reach was that the starvation of the inmates of these camps was deliberate.

"Upon entrance into these camps, newcomers were forced to work either at an adjoining war factory or were placed 'in commando' on various jobs in the vicinity, being returned each night to their stall in the barracks. Generally a German criminal was placed in charge of each 'block' or shed in which the prisoners slept. Periodically he would choose the one prisoner of his block who seemed the most alert or intelligent or showed the most leadership qualities. These would report to the guards' room and would never be heard from again. The generally accepted belief of the prisoners was that these were shot or gassed or hanged and then cremated. A refusal to work or an infraction of the rules usually meant flogging and other types of torture, such as having the fingernails pulled out, and in each case usually ended in death after extensive suffering. The policies described constituted a calculated program of planned torture and extermination on the part of those who were in control of the German Government..."

I quote next from page 11 of the English text beginning with the

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second sentence of paragraph 2, a description of Camp Dora at Nordhausen, page 12, paragraph 1 of the German text as follows:

"On the whole, we found this camp to have been operated and administered much in the same manner as Buchenwald had been operated and managed. When the efficiency of the workers decreased as a result of the conditions under which they were required to live, their rations were decreased as punishment. This brought about a vicious circle in which the weak became weaker and were ultimately exterminated."

Such was the cycle of work, torture, starvation and death for concentration camp labor - labor which Defendant Goering while requesting that more of it be placed at his disposal said had proved very useful; labor which Defendant Speer was "naxious" to use in the factories under his control.

The policy underlying this program, the manner in which it was executed, and the responsibility of the conspirators in connection with it has been dwelt upon at length. Therefore, at this point we should like to discuss the special responsibility of the Defendant Sauckel.

The Defendant Sauckel's appointment as Plenipotentiary General for Manpower is explained probably first of all by his having been an old and trusted Nazi. He has certified in Document 2974-PS, dated 17 November 1945, which is already in evidence before this Tribunal as U.S.A. Exhibit Number 15, that he held the following positions:

Starting with his membership in the NSDAP, he was thereafter a member of the Reichstag. He was Gauleiter of Thuringia. He was a member of the Thuringian legislature. He was Minister of Interior and head of Thuringian State Ministry. He was Reichsstatthalter for Thuringia. He was an SA Obergruppenfuehrer, SS Obergruppenfuehrer. He was administrator for the Berlin-Suhler Waffen and Fahrzeugwerke in 1935. He was head of the Gustloff Werke Nationalsozialistische Industrie-Stiftung, 1936, and the Honorary Head of the foundation. And from the 21st day of March 1942 until 1945 he was the General Plenipotentiary for Labor Allocation.

Sauckel's official responsibilities are borne out by evidence. His appointment as Plenipotentiary General for Manpower was effected by a decree

H0020-0082

of the 21st of March, 1945, which we have read and which was signed by Hitler, Lammers, and the Defendant Keitel. And by that decree Sauckel was given authority as well as responsibility subordinate only to that of Hitler and Goering, who was the head of the Four Year Plan, but subordinate only to those two for all matters relating to recruitment, allocation, and handling of foreign and domestic manpower.

The Defendant Goering, to whom Sauckel was directly responsible, abolished the recruitment and allocation agencies of his Four Year Plan and delegated their powers to the Defendant Sauckel, and placed his far-reaching authority as deputy for the Four Year Plan at Sauckel's disposal.

In Document 1666-PS, a second 1666-PS, but of another date, the 27th of March, 1942, I ask the Tribunal to take judicial notice of this original decree which is published in the 1942 Reichsgesetzblatt, Part I, at Page 180:

"In pursuance of the Fuehrer's Decree of 21 March 1942, I decree as follows:

"1. My manpower sections are hereby abolished (circular letter of 22 October 1936). Their duties

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(recruitment and allocation of manpower, regulations for labor conditions) are taken over by the Plenipotentiary General for Arbeitseinsatz, who is directly under me.

"2. The Plenipotentiary General for Arbeitseinsatz will be responsible for regulating the conditions of labor (wage policy) employed in the Reich Territory, having regard to the requirements of Arbeitseinsatz.

"3. The Plenipotentiary General for Arbeitseinsatz is part of the Four Year Plan. In cases where new legislation is required, or existing laws required to be modified, he will submit appropriate proposals to me.

"4. The Plenipotentiary General for Arbeitseinsatz will have at his disposal for the performance of his task the righ delegated to me by the Fuehrer for issuing instructions to the higher Reich authorities, their branches and the Party offices, and their associated organisms and also the Reich Protector, the General-Governor, the Commander-in-Chief, and heads of the civil administrations. In the case of ordinances and instructions of fundamental importance a report is to be submitted to me in advance."

Document Number 1903-PS is a Hitler Decree of the 30th of September 1942, giving the Defendant Sauckel extraordinary powers over the civil and military authority of the territories occupied by Germany. We ask that judicial notice be taken by this Tribunal of the original decree, which is published in Volume II, Page 510, of the Verfuegungen/Anordnungen Bekanntgaben, published by the Party Chancellory. This decree states as follows:

"I herewith authorize the Deputy General for the Arbeitseinsatz, Reich-governor and district-leader (Gauleiter) Fritz Sauckel to take all necessary measures for the enforcement of my decree referring to a Deputy General for the Arbeitseinsatz of 21 March 1942 (Reichsgesetzblatt I, page 179) according to his own judgment in the Greater German Reich, in the Protectorate, and in the Government General as well as in the occupied territories, measures which will safeguard under all circumstances the

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regulated deployment of labor for the German war economy. For this purpose he may appoint commissioners to the bureaus of the military and civilian administration. These are subordinated directly to Deputy General for the Arbeitseinsatz. In order to carry out their tasks, they are entitled to issue directives to the competent military and civilian authorities in charge of the Arbeitseinsatz and of ware policy.

"More detailed directives will be issued by the Deputy General for the Arbeitseinsatz.

"Fuehrer-Headquarters, 30 September 1942. The Fuehrer, signed Adolph Hitler."

Within one month after his appointment, the Defendant Sauckel sent Defendant Rosenberg his "Labor Mobilization Program." This program, Document 016-PS, is already in evidence as USA Exhibit 168, and it envisaged the recruitment by force and the exploitation of the entire labor resources of the conquered areas and of prisoners of war in the interests of the Nazi war machine at the lowest conceivable degree of expenditure to the German State.

The Defendant Sauckel states--and I refer now to the bottom of Page VI of the English text of that document. It is Page 9, Paragraph 2, of the German text, and I quote as follows:

"It must be emphasized, however, that an additional tremendous number of foreign labor has to be found for the Reich. The greatest pool for that purpose are the occupied territories of the East. Consequently, it is an immediate necessity to use the human reserves of the conquered Soviet Territory to the fullest extent. Should we not succeed in obtaining the necessary amount of labor on a voluntary basis, we must immediately institute conscription or forced labor.

"Apart from the prisoners of war still in the occupied territories, we must, therefore, requisition skilled or unskilled male and female labor from the Soviet Territory from the age of 15 up for the labor mobilization."

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Passing to Page XI of the English text, first paragraph, and of Page 17, Paragraph 4 of the German text, I quote as follows directly:

"The complete employment of all prisoners of war as well as the use of a gigantic number of new foreign civilian workers, men and women, has become an undisputable necessity for the solution of the mobilization of labor program in this war."

The Defendant Sauckel proceeded to implement this plan, which he submitted with certain basic directives. He provided that if voluntary recruitment of foreign workers was unsuccessful compulsory service should be instituted.

Document 3044-PS is the Defendant Sauckel's Regulation Number 4, dated the 7th of May, 1942. We ask that the Tribunal take judicial notice of the original regulation published in Volume II, Pages 516 to 527 of the Verfuegungen/Anordnungen Bekanntgaben, to which I have previously referred. Reading from Page 1, Paragraph 3, of theEnglish text:

"The recruitment of foreign labor will be done on the fundamental basis of volunteering. Where,

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however, in the occupied territories the appeal for volunteers does not suffice, obligatory service and drafting must, under all circumstances, be resorted to. This is an indisputable requirement of our labor situation."

Sauckel provided also for the allocation of foreign labor in the order of its importance to the Nazi war machine. We refer to Document 3044- (A)-PS, which is the Defendant Sauckel's Regulation Number 10, and ask that the Court take judicial notice of the original regulation, published in Volume II, Verfuegungen/Anordnungen/Bekanntgaben, at Pages 531 to 533. Paragraph 3 of this regulation I quote as follows:

"The resources of manpower that are available in the occupied territories are to be employed primarily to satisfy the requirements of importance for the war in Germany itself. In allocating the said labor resources in the Occupied Territories, the following order of priority will be observed:

"(a) Labor required for the troops, the occupation authorities, and the civil authorities.

"(b) Labor required for the German armaments.

"(c) Labor required for food and agriculture.

"(d) Labor required for industrial work other than armaments.

"(e) Labor required for industrial work in the interests of the population of the territory in question.

The Defendant Sauckel, and agencies subordinate to him, exercised exclusive authority over the recruitment of workers from every area in Europe occupied by, controlled by, or friendly to the German nation. He affirmed, himself-- the Defendant Sauckel did-- this authority in a decree, Document No. 3044-PS, already in evidence as United States Exhibit No. 206. I refer to paragraph 5 on page 1 of the English text of that document, and I am quoting it directly:

"The recruitment of foreign labor in the areas occupied by Germany, in allied, friendly or neutral states will be carried out exclusively by my commissioners, or by the competent German military or civil agencies

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for the tasks of labor mobilization."

THE PRESIDENT: Haven't you read that already?

MR. DODD: No, I have not, if Your Honor please. We have referred to that decree before, but we have not referred to this portion of it.

I am passing to Paragraph II, 1-a on page 2, and quoting, again, directly:

"For the carrying out of recruitment in allied, friendly, or neutral foreign countries, my commissioners are solely responsible."

In addition, the following defendants, who were informed by Sauckel of the quotas of foreign laborers which he required, collaborated with Sauckel and his agents in filling these quotas:

The Defendant Keitel, Chief of the OKW--which was the Supreme Command--who collaborated with Sauckel.

We refer now to Document No. 3012-PS-1, which is USA Exhibit No. 190. This document is the record of a telephone conversation of the Chief of the Economic Staff East of the German Army, and it is dated March 11, 1943. I wish to quote from the first two paragraphs of the document as follows:

"The plenipotentiary for the Arbeitseinsatz, Gauleiter Sauckel, points out to me, in an urgent teletype, that the Arbeitseinsatz in German agriculture, as well as all the most urgent armament programs, ordered by the Fuehrer, make the most rapid procurement of approximately one million women and men from the newly occupied territories an imperative necessity. For this purpose, Gauleiter Sauckel demands the shipment of 5,000 workers daily beginning 15 March; 10,000 workers male and female beginning 1 April from the newly occupied territories."

I am passing down to the next paragraph:

"In consideration of the extraordinary losses of workers, which occurred in German war industry because of the developments of the past months, it is now necessary that the recruiting of workers be taken up again everywhere

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with all emphasis. The tendency momentarily noticeable in that territory, to limit and/or entirely stop the Reich recruiting program, is absolutely not bearable in view of this state of affairs. Gauleiter Sauckel, who is informed about these events has, because of this, turned immediately to General Fieldmarshal Keitel on 10 March 1943, in a teletype, and has emphasized on this occasion that, as in all other occupied territories, there, where all other methods fail, by order of the Fuehrer a certain pressure must be used."

At this point we were prepared to offer a transcript of an interrogation under oath of the Defendant Sauckel. The English only of the transcript of the interrogation has been seen by the counsel for the Defendant Sauckel. He has had it, however, for some time, and the excerpts upon which we intended to rely were furnished to him as well in German.

If I understood the ruling of the Tribunal correctly, it would be necessary for us to have furnished the entire record in German.

THE PRESIDENT: I think you might use this interrogation, as the excerpts have been submitted in German.

MR. DODD: Yes, they have, Your Honor, and the entire English text as well.

THE PRESIDENT: Very well.

MR. DODD: I refer to a transcript of an interrogation, under oath, of the Defendant Sauckel, held on the morning of the 5th of October 1945. That is the very last document in the document book. I wish to quote from the bottom of page 1 of the English text, and page 1, paragraph 11 of the German text, as follows:

"Q. Was it necessary in order to accomplish the completion of the quotas given to have liaison with the OKW?

"A. I remember that the Fuehrer had given directives to Marshal Keitel, telling him that my task was a very important one, and I, too, have often conferred with Keitel after such discussions with the Fuehrer, when I asked him for his support.

"Q. It was his task to supervise the proper performance of the military commanders in the occupied countries in carrying out their missions, was it not?

"A. Yes, the Fuehrer had told me that he would inform the Chief of the OKW, and the Chief of the Reichs Chancellery, as to these missions. The same applies to the Foreign Minister."

We are also prepared to offer the transcript of an interrogation of the Defendant Alfred Rosenberg. There is this distinction insofar as this record is concerned: while we have supplied the counsel with the German translation of those parts of it which we propose to use, we have not had an opportunity to supply the whole text to counsel. However, they have been supplied with the German of the parts which we propose to use and to offer to this Tribunal.

THE PRESIDENT: Well,you intend to do it hereafter, I suppose?

MR. DODD: Yes, we will, Your Honor, as soon as we can get these papers down to that information center.

THE PRESIDENT: Yes.

MR. DODD: May I --

THE PRESIDENT: Yes.

MR. DODD: The next document is rather lengthy, and I wonder what the Tribunal's pleasure is.

THE PRESIDENT: That clock is wrong.

MR. DODD: Oh, I see.

Do I understand that I may proceed with that interrogation?

THE PRESIDENT: Yes.

MR. DODD: I wish to refer to the Defendant Alfred Rosenberg, the Reich Minister for the Occupied Eastern Territories, as one who also collaborated with the Defendant Sauckel, and specifically, to refer to a transcript of an interrogation under oath of the Defendant Rosenberg, on the afternoon of the 6th of October 1945. That record may be found about the third

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from the last of the interrogation records in the document book, and I wish to read from page 1 of the transcript:

"Q. Isn't it a fact that Sauckel would allocate to the various areas under your jurisdiction the number of persons to be obtained fo labor purposes?

"A. Yes.

"Q. And that, thereafter, your agents would obtain that labor in order to meet the quota which had been given; isn't that right?

"A. Sauckel, normally, had very far-reaching desires, which one couldn't fulfil unless one looked very closely into the matter.

"Q. Never mind about Sauckel's desires being far-reaching or not being far-reaching. That has nothing to do with it. You were given quotas for the areas over which you had jurisdiction, and it was up to you to meet that quota?

"A. Yes; it was the responsibility of the administrative officials to receive this quota and to distribute the allotments over the districts in such a way, according to number and according to the age groups, so they would be most reasonably met.

"Q. These administrative officials were part of your organization, isn't that right?

"A. They were functionaries or officials of the Reichskommissar for the Ukraine, but, as such, they were placed in their office by the Ministry for the Eastern Occupied Territories.

"Q. You recognized, did you not, that the quotas set by Sauckel could not be filled by voluntary labor, and you didn't disapprove of the impressment of forced labor; isn't that right?

"A. I regretted that the demands of Sauckel were so urgent that they could not be met by a continuation of voluntary recruitments, and thus I submitted to the necessity of forced impressment."

Then, passing a little further down on that page:

"Q. The letters that we have already seen between you and Sauckel did not indicate, did they, any disagreements on your part with the principle of recruiting labor against their will? They indicate, as I remember, that you were opposed to the treatment that was later accorded these workers, that you did not oppose their initial impressment."

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THE PRESIDENT: Mr. Dodd, I think you ought to read the next two answers, in fairness to the Defendant Rosenberg, after the one where he said he submitted to the necessity of forced impressment.

MR. DODD: Very well, I shall read those, your Honor.

THE PRESIDENT: "Did you ever argue with Sauckel".

MR. DODD: Yes.

"Did you ever argue with Sauckel that perhaps in view of the fact that quotas could not be met by voluntary labor, the labor recruiting program be abandoned, except for what recruits could be voluntarily enrolled?

"A. I couldn't do that because the numbers or allotments that Sauckel had received from the Fuehrer to me were absolutely binding for him, and I couldn't do anything about that."

And then, referring again to the question which I had just read, the question and the answer at the bottom of the page--that is, the question which I have already read--the answer is as follows:

"That is right. In those matters I mostly discussed the possibility of finding the least harsh methods of handling the matter, whereas in no way I placed myself in opposition to the orders that he was carrying out for the Fuehrer."

THE PRESIDENT: I think the Tribunal might adjourn now.

MR. DODD: Very well, Your Honor.

(Whereupon at 1700 hours the hearing of the Tribunal adjourned to reconvene on 13 December, 1945, at 1000 hours.)